

JOURNALS
OF THE
House of Representatives
OF
ALABAMA

SPECIAL SESSIONS 1950
HELD IN THE CITY OF MONTGOMERY



WITH INDICES PREPARED BY THE
CLERK OF THE HOUSE

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Montgomery, Alabama

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STATE OF ALABAMA

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
ALABAMA
FIRST SPECIAL SESSION 1950
HELD IN THE CITY OF MONTGOMERY COMMENCING
MONDAY, JUNE 19, 1950



WITH AN INDEX PREPARED BY THE
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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
ALABAMA
EXTRAORDINARY SESSION, 1950

FIRST DAY

House of Representatives,
Montgomery, Alabama,
Monday, June 19, 1950.

Be it remembered that on the 5th day of June, 1950, His Excellency, James E. Folsom, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

A PROCLAMATION BY THE GOVERNOR

WHEREAS, the members of the Constitutional Convention who prepared and promulgated the Constitution of 1901 recognizing that population shifts would occur in the State of Alabama from time to time; and the voters of the State who by their ballots ratified said Constitution, understanding the provisions of apportioning membership in the House and the Senate after each decennial census, beginning in 1910, as provided by Sections 199 and 200 of said Constitution; and

WHEREAS, each of the several Legislatures which have convened since the decennial census of 1910, including the present Legislature, have failed to perform the duty required of it by said Sections 199 and 200 of said Constitution, and the membership thereof has failed or refused to keep and perform the oath of office to which they each subscribed upon entering upon the duties of their respective offices; and

WHEREAS, there has been and is great criticism throughout the State of Alabama of the present Legislature for its failure to comply with said Sections 199 and 200 of the Constitution of Alabama of 1901; and

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, James E. Folsom, as Governor of the State of Alabama, do hereby proclaim such extraordinary occasion to exist and I proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 9:00 o'clock A. M. on Monday, the 19th day of June, 1950, and I do hereby designate the following suggestions and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. To pass an act proposing an Amendment to Section 197 of the Constitution of Alabama of 1901 providing for one Senator from each County in the State of Alabama.

2. To pass an act proposing an Amendment to Section 200 of the Constitution of Alabama 1901 to provide that the State of Alabama be divided into sixty-seven (67) Senatorial Districts, each district to consist of one county, and providing that counties created after the adoption of this amendment shall constitute an additional Senatorial District, and to provide that one Senator be elected in and for each Senatorial District.

3. To pass or adopt an act or resolution providing for the holding of a Convention to alter, revise or amend the Constitution of the State of Alabama, and especially to provide for reapportionment of the Legislature as provided in the Constitution of 1901, and submitting the question of Convention or no Convention to a vote of all of the qualified electors of the State of Alabama for their approval, as provided by Article XVIII of the Constitution of Alabama of 1901.

4. To provide for the passage of any local legislation applicable to single counties or subdivisions thereof.

DONE at the Capitol of the State of Alabama on this the 5th day of June, A. D. 1950.

JAMES E. FOLSOM,
Governor.

Attest:

SIBYL POOL,
Secretary of State.

In pursuance whereof, at the hour of 9 o'clock A. M. on Monday the 19th of June, 1950, the Representatives in the Legislature of Alabama, assembled in the hall of the House of Representatives.

The House was called to order by the Hon. W. M. Beck, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by the Reverend Charles S. Forrester, Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names:

Mr. Speaker	Dyar	McClendon	Sadler
Adams (Dale)	Evans	McDanal	Sellers
Adams (Jefferson)	Faulk	McDonald	Shelton
Barnett	Ganey	Malone	Shirley
Beatty	Garrett	Martin	Sightler
Benford	George	Mason	Still
Bennett	Gibson	Mathison	Stone
Black	Gillis	Meeks	Sullivan
Brannan	Givhan	Merrill	Taylor (Autauga)
Brassell	Hankins	Miller	Taylor (Hale)
Broadwater	Harris	Mitchell	Thagard
Brown	Harrison	Molette	Thomas
Buckner	Haynes (Franklin)	Morring	Thompson (Crenshaw)
Busby	Haynes (Lowndes)	Nelson	Thompson (Pike)
Bush	Head	Nettles	Tucker
Callahan	Hornsby	Norman	Vann
Coburn	Howell	O'Neal	Wallace
Cole	Ingalls	Pinkston	Ward
Cox	Inzer	Pinson	Weaver
Crocker	Kaul	Pruitt	Whitcomb
Denton	Knight	Ramey	White (Covington)
Dobbs (Fayette)	Larkins	Richardson	White (Perry)
Doughty	Leonard	Roberts	Wood (Bibb)
Duffee	Lovelace	Robinson	Wood (Washington)
Dumas			

A quorum was present.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to vacancies which have occurred in the House of Representatives since your last meeting.

Respectfully submitted,
W. V. (Bill) LYERLY,
Secretary to the Governor.

June 19, 1950.

To the House of Representatives
Montgomery, Alabama

Gentlemen:

I am transmitting to you a list of the vacancies that have occurred in the House of Representatives since your last meeting:

BULLOCK COUNTY:

Willis L. McIlwain.....deceased
(Place No. 2)

DALLAS COUNTY:

Thomas M. Martin, Jr.....Resigned
(Place No. 2)

JACKSON COUNTY:

John M. Snodgrass.....Resigned
(Place No. 2)

MOBILE COUNTY:

Thomas A. Johnston, III.....Resigned
(Place No. 1)

Respectfully,
JAMES E. FOLSOM,
Governor.

June 19, 1950.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to inform you that the Senate is in Session and ready for the transaction of business.

J. E. SPEIGHT,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Roberts:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Clerk of the House notify the Senate that the House of Representatives is now in session and is ready to transact public business.

On motion of Mr. Roberts, the rules were suspended and H. R. 1 was adopted.

Also:

By Mr. Roberts:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED that the said Committee ascertain and report back to these bodies if the Governor desires to address a joint session of the Legislature and if so, the time most suitable to His Excellency.

On motion of Mr. Roberts, the rules were suspended and H. J. R. 2 was adopted.

And the Speaker named as a committee on the part of the House, Messrs. Larkins, Roberts and Benford.

COMMITTEE APPOINTMENT

The Speaker appointed Hon. Pelham J. Merrill as Vice-Chairman of the Standing Committee on Rules to replace Hon. John M. Snodgrass.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Norman and Bush:

H. R. 3. Whereas, the members of the House of Representatives of the State of Alabama deeply regret the untimely death of the Honorable Willis L. McIlwain, which occurred at his home in Union Springs, Ala., on October 18, 1949; and

Whereas, the Honorable Willis L. McIlwain was at the time of his death a Representative from Bullock County, Alabama; and

Whereas, he had served in the House of Representatives for two terms, with ability, courage and distinction, and had rendered faithful and outstanding public service to his county, the State of Alabama, and the nation; and

Whereas, as a citizen, he was faithful and progressive in civic, religious, educational, and other worthy fields of activities; and as a lawyer was able, honest, learned, and vigorous in the advocacy of the cause of his clients, and was honored and respected by his brothers in the profession; and as a statesman, ranked high among his colleagues, being a man of sterling character, indomitable energy, courteous and kind in his contacts with his fellowman; and

Whereas, in his death, his community, the State and nation have lost a noble citizen, a great lawyer, and a wise statesman;

Now, Therefore Be It Resolved by the House of Representatives of the State of Alabama, that a page of the House Journal be dedicated to the memory of this great Alabamian, and that a copy of this resolution be sent to the members of his family.

On motion of Mr. Norman the rules were suspended and H. R. 3 was adopted.

In Memoriam

HONORABLE WILLIS L. McILWAIN

Member of the House of Representatives

of

Alabama from Bullock County, Alabama

1943-1949

Also:

By Mr. Tucker:

H. J. R. 4. Be it resolved by the House, the Senate concurring, that when the two houses adjourn today they adjourn to meet Monday, November 6, 1950. No per diem shall be paid.

And said resolution H. J. R. 4 was read and referred to the Standing Committee on Rules.

COMMITTEE APPOINTMENTS

The Speaker announced the following appointments:

Hon. Edward B. Miller as a member of the Standing Committee on Ways and Means to replace Hon. Thomas A. Johnston III, Hon. Paul Curburn to the Standing Committee on Ways and Means to replace Hon. John M. Snodgrass and Hon. A. K. Callahan to the Standing Committee on Judiciary to replace Hon. Willis L. McIlwain.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution, and returns same herewith to the House:

H. J. R. 2. Relative to appointing committee to notify His Excellency, the Governor, that the Legislature is in session and awaits any communication from him.

And the President and Presiding Officer of the Senate appointed Messrs. Lamberth and Henderson as committee on the part of the Senate.

J. E. SPEIGHT,
Secretary.

JOINT SESSION

The hour of 10:15 o'clock A. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the hall of the House of Representatives, in accordance with House Joint Resolution No. 2, for the purpose of hearing an address by the Governor of the State of Alabama.

The joint session was called to order by the Hon. J. C. Inzer, Lieutenant Governor and Presiding Officer of the Senate.

The Hon. James E. Folsom, Governor of the State of Alabama, appeared and addressed the Joint Session of the Legislature of the State of Alabama as follows:

To the Members of the Senate and House of Representatives of Alabama:

You have been called into this special session because I feel a strong sense of my responsibility as the Chief Executive of our great State and am anxious to discharge as fully as possible the official duties I assumed when I took the oath of office as Governor, among which is the duty of enforcing the constitutional, as well as the statute, laws of the State of Alabama, and to give to you members of this outgoing legislature another opportunity to discharge the duties imposed upon you when you took the oath of your respective offices.

I have called you to consider these things:

1. To provide each county with a State Senator.
2. To provide for a Constitutional Convention.
3. To consider local bills.

The framers of the Constitution of the United States were among the wise men of all time and they, foreseeing the probably necessity of changes in our organic law, provided the method for such changes to be effected, and so, also, have all of our state constitutions provided the methods and the means by which they too may be changed, revised, altered and amended.

This question addressed itself to you. This is your responsibility.

Some believe that the Legislature should be apportioned the same as our National Congress. An example of that in Alabama would be this: apportion the Senate equally among the sixty-seven counties, then apportion the House of Representatives according to population. Others believe that both the Senate and the House of Representatives of Alabama should be apportioned on a strict population basis. Whatever we believe I think we all agree on one thing, that with the present census now completed some kind of rearrangement of the Alabama Legislature is a foregone conclusion. With that in view I have called you into this special session so that you may discuss and determine what changes should be made and adopt one of these methods of procedure provided therein for changing the provisions of our present Constitution, either by amending it to meet present conditions or calling a Constitutional Convention for that purpose. Then if the people approve in the November General Election we have ideal means for properly reapportioning the Legislature and providing the other needed reforms in our State Government.

I do believe, however, that the provisions of the Constitution of Alabama should be enforced, as well as the statute laws of the State, so long as they remain on our statute books as the law of the land, and so long as I am Governor, I shall use every power at my command to see that they are enforced.

The provisions of Article 9 of the Constitution of 1901 have been ignored by every legislature since 1910, and this Legislature has failed to carry out its provisions during either of the Regular Sessions of 1947 and 1949, and wholly ignored the provisions of this Article when you were formerly called into special session for the specific purpose of taking action to put it into effect.

The people of the whole State, from the Tennessee Valley to the Gulf, and from the Chattahoochee River to the Mississippi line are demanding that a more equitable distribution of legislative authority and power be given to the several counties. This is your duty under the Constitution and your responsibility under your oaths.

I, as Governor and Chief Executive Officer of this State, have performed my duty under my oath when I have called you into extraordinary session for the specific purpose of performing this duty under your oaths, and have delivered to you this message recommending that you take some action, either by carrying out the plain mandate of Article 9 of the Constitution of 1901, or by giving the voters of the state an opportunity to amend or revise its provisions. This is the least you can do as members of the Legislature under the oath taken when you assumed the duties of the office.

I recommend that Sections 197 and 200 Article 9 be amended so as to provide that the Senate of Alabama be composed of one member from each county in the State, and that each county of the State be made a Senatorial District. This in conformity with the plan and formation of our National Congress, recognized throughout the world as the most Democratic deliberative legislative body on the face of the earth, and this would forever insure legislative equality and protection for every county in the State, large or small, and also to each citizen.

I also recommend that an Act or Resolution be passed providing for the holding of a Constitutional Convention to alter, revise or amend our fifty year old Constitution, and especially to provide for reapportionment

of the legislature as provided by the Constitution of 1901, and submitting the question of Convention or no Convention to a vote of all the qualified electors of the State of Alabama for their approval, as provided by Article 18 of the said Constitution. Providing for the holding of a Constitutional Convention is not a mandate of the present Constitution, as are the provisions of Article 9 thereof, but it is a need that most informed and forward looking people recognize, and if this is done the question of re-apportionment of representation in the legislature can be adjusted by the Convention without resorting to further amendments.

I am not unmindful of the fact that during the two Regular Sessions of the Legislature, and especially the one of 1949, that there were many perplexing and controversial issues presented and many matters of great interest to the individual members that occupied your minds and over shadowed a full consideration of this vital question. But, now as our respective terms of office are nearing completion, in the eventide of this administration, yours and mine, with no other important matters of State to engross your minds, I sincerely hope and believe that you will find time to give sober, calm, deliberate and conscientious consideration to the question of a more equitable representation in the legislature of Alabama; a representation based on justice to every County in the State alike.

This is the reason I have called you into extraordinary session at this time. Action on this vital constitutional question now is an emergency upon which the future welfare of all of the people of our beloved State depend. I leave it in your hands, with the hope and belief that you will give it the consideration it deserves and that you will perform your duty under your oaths, finish your task and adjourn in time that your proposals may be submitted to the voters for their decision at the General Election on November 7th next. In view of the fact that there is very little Committee work to be done let me respectfully suggest that you utilize the maximum number of working days each week as possible.

I want to remind you again I have called you into extraordinary session to consider three things:

1. To provide each county with a State Senator.
2. To provide for a Constitutional Convention.
3. To consider local bills.

A casual review of the Senate Roster will reveal that there are only five (5) Senators who are candidates to succeed themselves. This is brought about in the main by a vicious system which allows certain counties the seniority privileges by returning their Senator every four years. Most of the counties are denied this advantage of seniority and experience, as well as one county representation. We are now in the process of electing a new legislature. Let us leave this new legislature, that is to be elected November 7th, a shining example of an outstanding Legislature who can do an outstanding job that has been neglected for one-half hundred years.

May God bless each of you in your deliberations and give you the wisdom to see and the heart to perform your duties unselfishly and for the good of all the people of our beloved State.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Wallace and Benford:

H. 1. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one Senator

from each county; ordering an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next General Election in November 1950.

The above and foregoing bill, H. 1, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Wallace:

H. 2. To provide for a survey of cerebral palsied children in the State; to authorize and direct the State Board of Education to make provisions for the care and treatment of such children as a part of the program for the physical restoration of crippled children, including the establishment of diagnostic centers, hospitals or clinics for the treatment of children suffering from cerebral palsy and schools for the training of such children; and to authorize the Board of Education to provide training courses on the specialized care and treatment of cerebral palsy for physicians, therapists, and nurses as a stimulus for the propagation of better knowledge of cerebral palsy in the state, and in any other manner to diffuse information relative to the care and treatment of cerebral palsied children.

Ways and Means.

By Mr. Wallace:

H. 3. To levy a tax of two percent (2%) upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board; providing for the manner of collection and the use of the proceeds thereof.

Ways and Means.

By Mr. Merrill:

H. 4. To make an appropriation of one hundred and fifty thousand dollars (\$150,000.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

Ways and Means.

By Mr. Roberts:

H. 5. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Constitution and Elections.

By Mr. Dyar:

H. 6. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Marion County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Marion County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above and foregoing bill, H. 6, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Messrs. Pinkston, Ingalls and Sightler:

H. 7. To provide supernumerary solicitors of the state; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation, and the method of removal from office of such supernumerary circuit solicitors, and to appropriate funds for the payment of such compensation.

Ways and Means.

By Messrs. Givhan, Martin, Norman, Garrett, McDonald, Taylor (Autauga), White (Perry), Tucker, Harrison, Brannan, Evans, Haynes (Lowndes), Shirley, Mason, Leonard, Sellers, Duffee, McClendon, Harris, Pruitt, Ramey, Pinson, Taylor (Hale), Bush, Malone, Faulk, Stone, Sullivan, and Hornsby:

H. 8. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

The above and foregoing bill, H. 8, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Givhan:

H. 9. To amend Section 29 of Title 60 of the Code of Alabama (1940) as amended, which relates to the amounts of pensions to be paid to Confederate veterans and their widows.

Ways and Means.

By Mr. McDaniel:

H. 10. To amend Section 3 and Section 5 of an Act entitled, "An Act to provide for tenure of employment of teachers in the Public Schools." The Act to be amended having been approved September 21, 1939; said Act to be amended shall remain as it is now except that part thereof restricting the transfer of instructors, teachers, principals, or supervisors, at any time upon the recommendation of the superintendent.

Education.

By Mr. Weaver:

H. 11. To propose and provide for the submission of an amendment to the constitution of Alabama, to empower and authorize each municipality in Winston County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Winston County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above and foregoing bill, H. 11, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. White (Covington):

H. 12. To make an additional appropriation for regional education for the fiscal year ending September 30, 1950.

Ways and Means.

By Mr. Beck:

H. 13. To amend Section 661 of Title 7 of the Code of Alabama (1940), which relates to the homestead exempted from administration and the payment of debts in favor of the widow and minor child or children; making the amendment retroactive.

Judiciary.

By Messrs. Dumas, Kaul, Beatty, Sadler, Gibson, Adams (Jefferson), and Morring:

H. 14. To reapportion the Membership of the House of Representatives among the several Counties of the State.

Constitution and Elections.

By Messrs. Dumas, Kaul, Meeks, Sadler, Beatty, Gibson, Adams (Jefferson):

H. 15. To propose an amendment to the Constitution providing for the apportionment of membership in the Legislature by a Board of Apportionment when the Legislature fails to make an apportionment, ordering a special election on the proposed amendment, and providing for the payment of expenses of holding the election.

The above and foregoing bill, H. 15, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Head:

H. 16. To authorize the Commissioner of Public Welfare to make or have made photographic reproductions of books, records, papers, or other documents required to be maintained or kept by the Department of Public Welfare or any subdivision thereof; and to authorize the Commissioner to dispose of any such books, records, papers, or other documents so photographed; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the documents themselves, and to provide for the admission as evidenced by duly certified photostatic copies or other copies of the original microfilms, photostats, or other similar photographs; to provide for the repeal of all laws in conflict with this act; and to provide for the severability of the provisions of this act in the event that any part is declared to be null or void; and to provide the effective date of this act.

Public Welfare.

By Mr. White (Covington):

H. 17. Relating to Covington County: proposing an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts in Covington County, and the fees, commissions, percentages, allowances, or salary of, and the method of compensating any officer of Covington County.

The above and foregoing bill, H. 17, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Shelton:

H. 18. To amend Section 755 of Title 51 of the Code of Alabama (1940), as amended, which relates to exemptions from the sales tax.

Ways and Means.

By Messrs. Merrill, Wallace, Harris and Miller:

H. 19. To increase the compensation of the state auditor, the secretary of state and the state treasurer to the extent of \$1200.00 per annum.

Ways and Means.

By Messrs. Inzer and Roberts:

H. 20. To make it a felony for a father to fail or refuse willfully

to comply with, or to leave the State with the intention of evading the terms of, a court order requiring him to support his minor child or children.

Judiciary.

By Mr. Lovelace:

H. 21. To Amend Section 34 (6), Title 37, Alabama Code of 1940.
Constitution and Elections.

By Mr. Lovelace:

H. 22. To Amend Section 84, Title 17, Alabama Code of 1940.
Constitution and Elections.

By Mr. Lovelace:

H. 23. To Amend Section 34 (8), Title 37, Alabama Code of 1940.
Constitution and Elections.

By Mr. Benford:

H. 24. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.
Constitution and Elections.

By Messrs. Leonard and Givhan:

H. 25. To establish an Agricultural Experiment Station in Talladega County, Alabama, for poultry research and experiment work for the purpose of finding out new scientific facts in regard to production, breeding improvement, development, processing, storage, use and marketing of poultry and poultry products, and the control and the eradication of poultry diseases and other poultry problems having for their purpose the development and improvement of better breeds and strains of poultry and other similar poultry problems having for their object the establishment of a more permanent, profitable and diversified production of poultry among Alabama farmers; to designate the area constituting said Station; to provide for the location of said Agricultural Experiment Station; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work.

Ways and Means.

By Mr. Adams (Jefferson):

H. 26. To reapportion the Membership of the House of Representatives among the several Counties of the State.

Constitution and Elections.

By Mr. Black:

H. 27. To propose an amendment to the Constitution of Alabama providing for the representation in the Senate and the House of Representatives; ordering an election upon the proposed amendment to be held at the general election next succeeding the adjournment of the present session of the Legislature; and providing for the payment of the expenses of holding the election.

The above and foregoing bill, H. 27, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Miller:

H. 28. To limit the time for assessment and collection of the retail sales tax imposed by law.

Ways and Means.

By Mr. Miller:

H. 29. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Constitution and Elections.

By Mr. Miller:

H. 30. To amend Section 298 of Title 52 of the Code of Alabama (1940), which relates to the minimum age at which children may attend school.

Education.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S. J. R. 1. WHEREAS the death of Senator Charles J. Owens has removed an outstanding leader and an able public servant of the State of Alabama, and

WHEREAS Charles J. Owens' contributions and efforts toward the advancement of the State of Alabama, as a State Senator, as a member of the Alabama House of Representatives, and as an outstanding business man, while bearing his afflictions with great fortitude, have been incalculable and of lasting importance, and

WHEREAS, the State, his host of friends, and family have suffered a great loss in his passing, therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. The passing of Charles J. Owens is deeply mourned by the Legislature of Alabama, and his memory revered.

2. The sympathy of the people of Alabama, through their legislative representatives, is hereby extended to the many friends and to the surviving relatives of the deceased.

3. The Secretary of the Senate is directed to forward to the family of Charles J. Owens a copy of this resolution.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Benford the rules were suspended and the S. J. R. 1 set out in the above and foregoing message from the Senate was concurred in and adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Merrill:

H. J. R. 5. Be it resolved by the House, The Senate concurring that when the two houses adjourn today they meet back again on WEDNESDAY June 21, 1950 at 10:00 A. M.

On motion of Mr. Merrill the rules were suspended and H. J. R. 5 was adopted.

ELECTION OF ASSISTANT DOORKEEPER

The House proceeded to the election of an Assistant Doorkeeper for the House of Representatives. The Speaker reported with regret the

death of Hon. W. M. Blackwell, Assistant Doorkeeper of the House.

Mr. Doughty placed in nomination the name of Mr. Gilbert Davis. Mr. Tucker moved that the nomination be closed.

And the House, upon a viva voce roll call, voted unanimously for the election of Mr. Gilbert Davis.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Evans	Martin	Sellers
Adams (Dale)	Faulk	Mason	Shelton
Adams (Jefferson)	George	Mathison	Shirley
Barnett	Gibson	Meeks	Sightler
Beatty	Gillis	Merrill	Still
Bennett	Givhan	Miller	Taylor (Autauga)
Brassell	Hankins	Mitchell	Taylor (Hale)
Broadwater	Harrison	Molette	Thagard
Buckner	Haynes (Lowndes)	Nettles	Thomas
Busby	Head	Norman	Thompson (Crenshaw)
Bush	Hornsby	Pinkston	Thompson (Pike)
Coburn	Howell	Pinson	Tucker
Cole	Inzer	Pruitt	Wallace
Cox	Kaul	Ramey	Ward
Crocker	Knight	Richardson	Weaver
Denton	Larkins	Roberts	Whitcomb
Dobbs (Fayette)	Leonard	Robinson	Wood (Bibb)
Doughty	McClendon	Sadler	Wood (Washington)

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Mr. Davis having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Assistant Doorkeeper of the House of Representatives for the term prescribed by law.

Mr. Davis appeared and the oath of office was administered to him by Hon. W. M. Beck, Speaker of the House.

RESOLUTION

The following resolution was introduced:

By Messrs. Dumas and Merrill:

H. J. R. 6. WHEREAS, the Legislature of Alabama holds Speaker William M. Beck in high esteem; and

WHEREAS, the Speaker has suffered a great personal loss in the death of his sister, Mrs. Willie May Beck Wadsworth on June 15, 1950; therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

Section 1. The Legislature of Alabama expresses its profound grief in the passing of Mrs. Willie May Beck Wadsworth, and extends its most sincere sympathy to her bereaved family and Speaker William M. Beck.

Section 2. The Clerk of the House of Representatives is directed to send a copy of this resolution to the family of Mrs. Willie May Beck Wadsworth and to Speaker William M. Beck.

On motion of Mr. Dumas the rules were suspended and H. J. R. 6 was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President and Presiding Officer of the Senate having signed

the following Senate Joint Resolution your signature thereto is requested:

S. J. R. 1. Relative to: Expressing sympathy to the family of Charles J. Owens:

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

RECESS

On motion of Mr. Givhan the House recessed until two o'clock this afternoon.

AFTERNOON SESSION

The hour of two o'clock P. M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 5. Relative to adjournment of the two Houses until Wednesday June 21, 1950, at 10:00 A. M.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 6. Relative to extending sympathy to Speaker of the House Wm. M. Beck in the loss of his sister, Mrs. Willie May Beck Wadsworth.

J. E. SPEIGHT,
Secretary.

ADJOURNMENT

On motion of Mr. Norman, the House adjourned until Wednesday, June 21, at 10 o'clock A. M.

SECOND DAY

House of Representatives
Montgomery, Alabama
Wednesday, June 21, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend W. I. Jordan, Pastor, Cloverdale Christian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dumas	Lovelace	Robinson
Adams (Dale)	Evans	McClendon	Sadler
Adams (Jefferson)	Faulk	McDonald	Sellers
Barnett	Ganey	McGowin	Shelton
Beatty	Garrett	Martin	Shirley
Benford	George	Mason	Sightler
Bennett	Gibson	Mathison	Still
Black	Gillis	Meeks	Taylor (Autauga)
Brannan	Givhan	Merrill	Taylor (Hale)
Brassell	Hankins	Miller	Thagard
Broadwater	Harris	Mitchell	Thomas
Brown	Harrison	Molette	Thompson (Crenshaw)
Bush	Haynes (Lowndes)	Morring	Thompson (Pike)
Callahan	Head	Nelson	Wallace
Coburn	Hornsby	Nettles	Ward
Cole	Howell	O'Neal	Weaver
Cox	Ingalls	Pinkston	Whitcomb
Crocker	Inzer	Pinson	White (Covington)
Denton	Kaul	Pruitt	White (Perry)
Dobbs (Elmore)	Knight	Ramey	Wood (Bibb)
Dobbs (Fayette)	Larkins	Richardson	Wood (Washington)
Doughty	Leonard	Roberts	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

W. M. BECK,
Chairman.

On a motion of Mr. Roberts, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Gillis:

H. J. R. 7. WHEREAS, the Legislature of Alabama appreciates the loyalty and devoted service of the employees of the State of Alabama; and

WHEREAS, the Fourth of July holiday is observed on Tuesday in this year of 1950; therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The Legislature of Alabama hereby declares Monday July 3rd, 1950 to be a holiday in order for the employees of the State to enjoy four consecutive days of leave from five o'clock Friday June 30, 1950 to eight o'clock July 5, 1950.

The above and foregoing H. J. R. 7 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Meeks:

H. J. R. 8. To direct the Chief Examiner of the Department of Examiners of Public Accounts to compile a list of persons employed by the State of Alabama, and a list of state-owned automobiles.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The Chief Examiner of the Department of Examiners of Public Accounts is directed to compile a list of all persons employed by the State of Alabama and any of its Boards, Bureaus, Agencies, Commissions, Institutions, Departments, etc., during the period October 1, 1949, to September 30, 1950. This list shall include the following information: a) the full name of the employee; b) the state agency employing the person; c) the name or title of the position held by the employee; d) the periods of employment during the fiscal year 1949-50; e) the total salary paid to the employee during the fiscal year 1949-50; and f) the total expense payments made to the employee during the fiscal year 1949-50.

2. The Chief Examiner is further directed to compile a list of state-owned automobiles and all other motor vehicles. This list shall include the following information: a) the make, model, and body style of each automobile or vehicle; b) the state agency to which the automobile or vehicle is assigned; and c) the name of the person or persons who drive each automobile.

3. The Director of the State Personnel Department, the Chief of the Division of Service, and the heads of all other State agencies, Boards, Commissions, Institutions, Bureaus and Departments, etc., are directed to assist the Chief Examiner in the compilation of these lists. The Chief Examiner shall transmit copies of these lists to the Clerk of the House of Representatives and the Secretary of the Senate on the third day of the organizational session of the Legislature to be held in 1951.

The above and foregoing H. J. R. 8 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Merrill:

H. J. R. 9. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet again Thursday, June 22, 1950, at 10 o'clock, A. M.

On motion of Mr. Merrill the rules were suspended and H. J. R. 9 was adopted.

Also:

By Mr. Shelton:

H. J. R. 10. WHEREAS, it appears that an emergency exists in Bryce Hospital with reference to the admission of women patients, and

WHEREAS, many Alabama counties have waiting lists of emergency patients and the officials of Bryce Hospital have let it be known that there is not sufficient space, or beds, or facilities to take care of these patients; and it appears that conditions are critical in said institution.

THEREFORE BE IT RESOLVED that the Speaker of the House of Representatives and the President of the Senate appoint a committee consisting of three representatives and three senators to make a thorough investigation of the conditions at Bryce Hospital and report back to the Legislature at the earliest possible moment.

BE IT FURTHER RESOLVED that the necessary transportation and expenses be provided out of funds in the Treasury that may be available from the appropriation for the expenses of this session of the Legislature.

BE IT FURTHER RESOLVED that the committee make its report to the Legislature within five (5) days of their findings.

On motion of Mr. Shelton the rules were suspended and H. J. R. 10 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Merrill, Adams of Jefferson, and Brown.

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Mr. Beck:

H. 13. To amend Section 661 of Title 7 of the Code of Alabama (1940), which relates to the homestead exempted from administration and the payment of debts in favor of the widow and minor child or children; making the amendment retroactive.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report With Amendment:

By Messrs. Inzer and Roberts (with amendment):

H. 20. To make it a felony for a father to fail or refuse willfully to comply with, or to leave the State with the intention of evading the terms of, a court order requiring him to support his minor child or children.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Messrs. Wallace and Benford:

H. 1. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one Senator from each county; ordering an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next General Election in November 1950.

The above and foregoing bill, H. 1, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House without recommendation:

By Mr. Roberts (without recommendation):

H. 5. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Messrs. Dumas, Kaul, Meeks, Sadler, Beatty, Gibson, Adams (Jefferson):

H. 15. To propose an amendment to the Constitution providing for the apportionment of membership in the Legislature by a Board of Apportionment when the Legislature fails to make an apportionment, ordering a special election on the proposed amendment, and providing for the payment of expenses of holding the election.

The above and foregoing bill, H. 15, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House without recommendation:

By Messrs. Dumas, Kaul, Meeks, Beatty, Sadler, Gibson, Adams (Jefferson) and Morring (without recommendation):

H. 14. To reapportion the Membership of the House of Representatives among the several Counties of the State.

By Mr. Adams (Jefferson) (without recommendation):

H. 26. To reapportion the Membership of the House of Representatives among the several Counties of the State.

By Mr. Black (without recommendation):

H. 27. To propose an amendment to the Constitution of Alabama providing for the representation in the Senate and the House of Representatives; ordering an election upon the proposed amendment to be held at the general election next succeeding the adjournment of the present session of the Legislature; and providing for the payment of the expenses of holding the election.

The above and foregoing bill, H. 27, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Thompson (Crenshaw), Chairman of the Standing Committee on Public Welfare reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Mr. Head:

H. 16. To authorize the Commissioner of Public Welfare to make or have made photographic reproductions of books, records, papers, or other documents required to be maintained or kept by the Department of Public Welfare or any subdivision thereof; and to authorize the Commissioner to dispose of any such books, records, papers, or other documents so photographed; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the documents themselves, and to provide for the admission as evidenced by duly certified photostatic copies or other copies of the original microfilms, photostats, or other similar photographs; to provide for the repeal of all laws in conflict with this act; and to provide for the severability of the provisions of this act in the event that any part is declared to be null or void; and to provide the effective date of this act.

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Givhan:

H. 31. To amend Section 619 of Title 51, Code of Alabama (1940), which relates to the privilege or license tax levied on the recordation of mortgages, deeds of trust, conditional sale contracts, and other instruments executed to secure the payment of debts; exempting loans for agricultural purposes from such levy.

Agriculture.

By Messrs. Givhan and Beck:

H. 32. To amend Section 224 of Title 22, Code of Alabama (1940), which authorizes the Milk Control Board to make reasonable rules and regulations covering fair trade practices among licensees of said board.

Agriculture.

By Messrs. Merrill, Martin and Beck:

H. 33. To amend sections 1 and 5 of Act No. 317, approved December 9, 1859, entitled "An Act To Incorporate the Grand Lodge of Free and Accepted Masons of the State of Alabama and the subordinate Lodges under its jurisdiction," as amended.

Business and Labor.

By Mr. Miller:

H. 34. To amend Section 766 of Title 51 of the Code of Alabama (1940) relating to the incorrect payment of sales taxes.

Ways and Means.

By Mr. O'Neal:

H. 35. To levy a tax of five per cent upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, providing for the manner of collection and the use of the proceeds thereof.

Ways and Means.

By Messrs. Adams (Jefferson), and Beatty:

H. 36. To amend Section 605 of Title 51 of the Code of Alabama, 1940, as amended by Act No. 133, H. B. 209, General Acts of Alabama, 1947, p. 42, approved July 18, 1947, entitled "An Act To amend Section 605 of Title 51 of the 1940 Code, which relates to licenses on businesses, vocations, and occupations," providing for a license for engaging in the business of dealing in tractors, road machinery, or trailers.

Ways and Means.

By Mr. Adams (Jefferson):

H. 37. Proposing an amendment to the Constitution relative to legislative representation, fixing the number of senators and dividing the State into senatorial districts.

The above and foregoing bill, H. 37, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Messrs. Sellers, Thagard, Faulk, Kaul and Inzer:

H. 38. To provide legal counsel for the Chief Examiner and Department of Public Accounts.

Judiciary.

By Messrs. Sellers, Thagard, Faulk, Kaul and Inzer:

H. 39. Making an additional appropriation to the Department of Examiners of Public Accounts for the fiscal year 1950-51.

Ways and Means.

By Mr. Wallace:

H. 40. To amend Section 343 of Title 55 of the Code of Alabama of 1940, relating to the appropriation for the State Board of Adjustment; to decrease the amount appropriated therein from the general fund and increase the amount appropriated from other funds of the state for the payment of awards and expenses.

Ways and Means.

By Messrs. Dobbs (Fayette), Brassell, Cole and Doughty:

H. 41. To declare invalid and unenforceable provisions in certain tornado, cyclone or windstorm insurance policies, which provide that the insurer will be liable for or pay only that amount of any loss that is in excess of a specified amount.

Business and Labor.

By Messrs. Dobbs (Fayette), Brassell, Cole and Doughty:

H. 42. To amend Section 739 of Title 37 of the Code of Alabama (1940).

Ways and Means.

By Mr. Callahan:

H. 43. To make a special appropriation to the State Building Commission for the purpose of constructing and equipping new buildings at Bryce Hospital at Tuscaloosa.

Ways and Means.

By Messrs. Adams (Jefferson) and Meeks:

H. 44. To amend Section 2 of Title 51, Code of Alabama (1940), as amended, which relates to persons and property exempt from ad valorem taxation.

Ways and Means.

By Messrs. Callahan and Shelton:

H. 45. To authorize the employment of a stenographic secretary by the Judge of the Inferior Court of any county having a population of at least 76,000 and not more than 114,000 inhabitants according to the last or any subsequent Federal census, and authorizing the payment of the salary of such stenographic secretary out of the treasury of the county.

Local Government.

By Mr. Pinkston:

H. 46. To amend Act No. 528, H. 992, approved September 2, 1949, entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof."

Local Legislation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Russell:

S. J. R. 6. Be It Resolved By The Senate, The House concurring, that when the two houses adjourn today, they adjourn to meet again on Thursday, June 22nd, 1950, at 10 o'clock, A. M.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the rules were suspended and the House concurred in and adopted the S. J. R. 6 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 9. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet again Thursday, June 22, 1950, at 10 o'clock, A. M.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Quarles:

S. J. R. 8. BE IT RESOLVED by the Senate, the House of Representatives concurring, that:

WHEREAS, The way of life of the southern people, civilization itself as we know it in the South, peace and good will between white and negro races, depending upon the maintenance of segregation and

WHEREAS, We are proud of the progress made in every way by the southern negro since reconstruction, and of the great part played by the southern white people in this progress.

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House of Representatives concurring, that:

We deplore the continuous efforts by the federal courts, the President of the United States and the Congress to destroy this principle of segregation of the races upon which southern civilization rests, and to seek to force intermingling of the races on their jobs, in homes, in public conveyances and in our schools. We insist upon recognition of our right to our laws and our customs and to local self-government in our local affairs.

We condemn as unAmerican and unwise the continuous efforts to change our laws and our customs by the federal government and its agents, and we urge them to refrain from acts which make more difficult the solution of the problems presented by the existence of the two races in the South.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the President of the United States, to the Chief Justice of the Supreme Court and to the Senators and Representatives from Alabama in the Congress.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Givhan the rules were suspended and the House concurred in and adopted the S. J. R. 8 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 10. Relative to appointing Legislative Committee to investigate conditions at Bryce Hospital, and making appropriation therefor.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Boutwell, Kendall and Wright.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Quarles:

S. J. R. 9. Be It Resolved by the Senate, the House of Representatives concurring, that:

WHEREAS, The recent decisions of the United States Supreme Court involving the public schools of Texas and Oklahoma have placed in danger the entire principle of segregation in our schools and

WHEREAS, We will not submit to the intermingling of white and negro children in our public schools in Alabama contrary to the express provisions of our Constitution and our laws.

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, as follows:

We sincerely urge that the federal courts, agencies and employees exercise caution lest the relationship between the races, harmonious in the past, be embittered by the efforts of the federal government to seize power in local matters hitherto reserved to the local governments by the long-recognized principles of local self-government.

We reaffirm our faith in the rights of the states to administer their local affairs including their police power over race relationships and local customs.

We notify our senators and our representatives in the Congress that we expect them to protect us against the continual encroachment of a powerful federal government in breaking down the rights hitherto well recognized of the states and of the local communities in relation to their citizens.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the President of the United States, to the Chief Justice of the Supreme Court and to the Senators and Representatives from Alabama in the Congress.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Givhan the rules were suspended and the House concurred in and adopted the S. J. R. 9 set out in the above and foregoing message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Pinson, Adams (Jefferson) and Meeks:

H. J. R. 11. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That Senate Joint Resolution No. 19 as appears on Page 117 of the General Acts of Alabama 1943, approved June 8, 1943 be and same is hereby repealed.

BE IT FURTHER RESOLVED that the Secretary of State, Washington, D. C. be requested to withdraw the name of Alabama from the list of States petitioning for World Government.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Secretary of State advising him of the action taken by the Alabama Legislature, and also copies be mailed to our Representatives and Senators in the Congress of the United States.

The above and foregoing H. J. R. 11 was read and referred to the Standing Committee on Rules.

ADJOURNMENT

On motion of Mr. Wood of Washington the House adjourned until Thursday, June 22, 1950, at ten o'clock A. M.

THIRD DAY

House of Representatives
Montgomery, Alabama
Thursday, June 22, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Blount F. Davidson, Superintendent of Missions, Montgomery Baptist Association, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cox	Haynes (Lowndes)	Mathison
Adams (Dale)	Crocker	Head	Meeks
Adams (Jefferson)	Denton	Hornsby	Merrill
Barnett	Doughty	Howell	Miller
Beatty	Dufree	Ingalls	Mitchell
Benford	Dumas	Inzer	Molette
Bennett	Evans	Kaul	Nelson
Black	Faulk	Knight	Nettles
Brannan	Ganey	Larkins	Norman
Brassell	Garrett	Leonard	O'Neal
Broadwater	George	Lovelace	Pinkston
Brown	Gibson	McClendon	Pinson
Buckner	Gillis	McDanal	Pruitt
Bush	Givhan	McDonald	Ramey
Callahan	Hankins	McGowin	Richardson
Coburn	Harris	Malone	Roberts
Cole	Harrison	Martin	Robinson

Rogers	Stone	Thompson (Crenshaw)	Weaver
Sellers	Sullivan	Thompson (Pike)	White (Covington)
Shelton	Taylor (Autauga)	Tucker	White (Perry)
Shirley	Taylor (Hale)	Vann	Wood (Bibb)
Sightler	Thagard	Wallace	Wood (Washington)
Still	Thomas	Ward	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report.

By Messrs. Pinson, Adams (Jefferson) and Meeks:

H. J. R. 11. Relative to repealing Senate Joint Resolution No. 19 as appears on Page 117 of the General Acts of Alabama 1943, approved June 8, 1943, and requesting the Secretary of State, Washington, D. C., to withdraw the name of Alabama from the list of States petitioning for World Government.

And H. J. R. 11 was adopted.

Also:

By Rules Committee:

H. J. R. 12. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The Legislative Reference Service is directed to prepare for publication in pamphlet form the Constitution of Alabama, together with all amendments thereto.

2. The Clerk of the House is directed to have printed as a legislative document twenty-five hundred copies of the Constitution of Alabama and the amendments thereto, which copies shall be distributed by him without charge.

And H. J. R. 12 was adopted.

Also:

By Rules Committee:

H. J. R. 13. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the following bills be made special, paramount and continuing orders of business superseding all other bills on the Calendar for the third Legislative Day:

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H. B. 26.....	3

And H. R. 13 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolution, to wit;

H. J. R. 6. Relative to expressing sympathy to Speaker Beck and family in the loss of his sister, Mrs. Willie May Beck Wadsworth.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolution, to wit;

H. J. R. 10. Relative to appointing a committee to investigate the conditions at Bryce Hospital and bring a report to the Legislature within five days of their findings, and to provide for the expenses of this committee.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following Bills and ordered same returned to the House without recommendation:

By Mr. Adams (Jefferson) (without recommendation):

H. 37. Proposing an Amendment to the Constitution relative to legislative representation, fixing the number of senators and dividing the State into senatorial districts.

The above and foregoing bill, H. 37, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Dyar (without recommendation):

H. 6. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Marion County to acquire and dispose of all kinds of prop-

erty, to promote the development of the municipalities in Marion County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above and foregoing bill, H. 6, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Messrs. Leonard, Hornsby, Sellers, Duffee, McClendon, Harris, Pruitt, Ramey, Pinson, Taylor (Hale), Bush, Malone, Faulk, Stone, Sullivan, Givhan, Martin, Norman, Garrett, McDonald, Taylor (Autauga), White (Perry), Tucker, Harrison, Brannan, Evans, Haynes (Lowndes), Shirley and Mason (without recommendation):

H. 8. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

The above and foregoing bill, H. 8, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Weaver (without recommendation):

H. 11. To propose and provide for the submission of an amendment to the constitution of Alabama, to empower and authorize each municipality in Winston County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Winston County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above and foregoing bill, H. 11, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. White (Covington):

H. 17. Relating to Covington County: proposing an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts in Covington County, and the fees, commissions, percentages, allowances, or salary of, and the method of compensating any officer of Covington County.

The above and foregoing bill, H. 17, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Benford:

H. 24. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

By Mr. Miller:

H. 29. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report with substitute:

By Mr. Lovelace (with substitute):

H. 23. To Amend Section 34 (8), Title 37, Alabama Code of 1940.

By Mr. Lovelace (with substitute):

H. 21. To Amend Section 34 (6), Title 37, Alabama Code of 1940.

By Mr. Lovelace (with substitute):

H. 22. To Amend Section 84, Title 17, Alabama Code of 1940.

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Messrs. Callahan and Shelton:

H. 45. To authorize the employment of a stenographic secretary by the Judge of the Inferior Court of any county having a population of at least 76,000 and not more than 114,000 inhabitants according to the last or any subsequent Federal census, and authorizing the payment of the salary of such stenographic secretary out of the treasury of the county.

Mr. Pinkston, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Messrs. Merrill, Martin and Beck:

H. 33. To amend sections 1 and 5 of Act No. 317, approved December 9, 1859, entitled "An Act To Incorporate the Grand Lodge of Free and Accepted Masons of the State of Alabama and the subordinate Lodges under its jurisdiction," as amended.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Mr. Pinkston:

H. 46. To amend Act No. 528, H. 992, approved September 2, 1949, entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof."

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Merrill and Dumas:

H. 47. To provide that the tax anticipation bonds, warrants or certificates of indebtedness issued pursuant to a constitutional amendment proposed by Act No. 570 of 1949, General Acts of Alabama of 1949, pp. 897-899, submitted December 13, 1949, and proclaimed ratified December 21, 1949, are authorized investments for any fiduciary.

Judiciary.

By Mr. Dumas:

H. 48. To provide a supplemental appropriation to the Teachers' Special Pension Fund.

Ways and Means.

By Mr. Gibson:

H. 49. To amend Section 1 of Act No. 607, S. 202, approved October 9, 1947 (General Acts of Alabama, 1947, page 456) entitled "An Act To make an annual appropriation to provide a retirement benefit to any State employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee; and to provide a supplement to the retirement benefit of any state employee who had attained age 60 on October 1, 1945, and who is or will be retired under the provisions of Act 515, approved July 9, 1945 with a minimum of 15 years of service as a state employee, and who is not entitled under the provisions of said act 515 to receive a retirement benefit in excess of \$60.00 per month; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund appropriated by this act."

Ways and Means.

By Mr. Shelton:

H. 50. To prohibit boards of registrars from registering persons as qualified electors within ten days prior to any primary, special or general election; and providing that meetings of the boards of registrars authorized to be held on days falling within such period may be held on another day not within such period.

Constitution and Elections.

BILLS ON THIRD READING

H. 1. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one Senator from each county; ordering an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next General Election in November 1950.

Was read a third time at length and lost.

Yeas 49; Nays 32.

Yeas:

Mr. Speaker	Broadwater	Denton	Inzer
Barnett	Brown	Evans	Knight
Benford	Buckner	Ganey	Leonard
Bennett	Callahan	Garrett	Lovelace
Black	Coburn	George	McClendon
Brannan	Cole	Hankins	McDanal
Brassell	Cox	Howell	McDonald

Mathison	O'Neal	Still	Weaver
Merrill	Pinkston	Taylor (Autauga)	White (Covington)
Miller	Roberts	Thompson (Crenshaw)	White (Perry)
Mitchell	Shelton	Tucker	Wood (Bibb)
Nelson	Sightler	Ward	Wood (Washington)
Nettles			

—49

Nays:

Messrs.:	Givhan	Malone	Robinson
Adams (Dale)	Harris	Martin	Sellers
Adams (Jefferson)	Harrison	Molette	Stone
Beatty	Haynes (Lowndes)	Norman	Sullivan
Bush	Head	Pinson	Taylor (Hale)
Crocker	Hornsby	Pruitt	Thagard
Duffee	Kaul	Ramey	Thompson (Pike)
Dumas	McGowin	Richardson	Wallace
Gibson			

—32

MOTION TO RECONSIDER

The motion of Mr. Wallace to reconsider the vote by which the bill, H. 1, was lost, was adopted.

Yeas 49; Nays 28.

Yeas:

Mr. Speaker	Evans	McDanal	Sightler
Barnett	Ganey	McDonald	Still
Benford	Garrett	Mathison	Taylor (Autauga)
Bennett	George	Merrill	Thompson (Crenshaw)
Black	Hankins	Miller	Tucker
Brannan	Head	Mitchell	Wallace
Brassell	Howell	Neison	Ward
Broadwater	Inzer	Nettles	Weaver
Buckner	Knight	O'Neal	White (Covington)
Bush	Leonard	Pinkston	White (Perry)
Callahan	Lovelace	Roberts	Wood (Bibb)
Coburn	McClendon	Shelton	Wood (Washington)
Cole			

—49

Nays:

Messrs.:	Gibson	McGowin	Richardson
Adams (Dale)	Givhan	Martin	Robinson
Adams (Jefferson)	Harris	Molette	Stone
Beatty	Harrison	Norman	Sullivan
Brown	Haynes (Lowndes)	Pinson	Taylor (Hale)
Crocker	Hornsby	Pruitt	Thagard
Duffee	Kaul	Ramey	Thompson (Pike)
Dumas			

—28

On motion of Mr. Wallace, further consideration of the bill, H. 1, was postponed until the next legislative day without losing its place on the Calendar.

Yeas 50; Nays 30.

Yeas:

Mr. Speaker	Brassell	Coburn	Ganey
Barnett	Broadwater	Cole	Garrett
Benford	Buckner	Cox	George
Bennett	Bush	Denton	Gillis
Brannan	Callahan	Evans	Hankins

Head	Mathison	Roberts	Wallace
Howell	Merrill	Shelton	Ward
Inzer	Miller	Sightler	Weaver
Knight	Mitchell	Still	White (Covington)
Leonard	Nelson	Taylor (Autauga)	White (Perry)
McClendon	Nettles	Thompson (Crenshaw)	Wood (Bibb)
McDanal	O'Neal	Tucker	Wood (Washington)
McDonald	Pinkston		

—50

Nays:

Messrs.:	Gibson	McGowin	Robinson
Adams (Dale)	Givhan	Martin	Sellers
Adams (Jefferson)	Harris	Molette	Stone
Beatty	Harrison	Norman	Sullivan
Brown	Haynes (Lowndes)	Pinson	Taylor (Hale)
Crocker	Hornsby	Pruitt	Thagard
Duffee	Ingalls	Ramey	Thompson (Pike)
Dumas	Kaul	Richardson	

—30

BILLS ON THIRD READING RESUMED

H. 5. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Was read a third time at length and lost.

Yeas 11; Nays 66.

Yeas:

Mr. Speaker	Coburn	Miller	Thompson (Crenshaw)
Benford	Howell	O'Neal	Weaver
Bennett	McDanal	Roberts	

—11

Nays:

Messrs.:	Garrett	Martin	Sightler
Adams (Dale)	George	Mathison	Still
Barnett	Gibson	Meeks	Stone
Beatty	Givhan	Merrill	Sullivan
Brannan	Harris	Mitchell	Taylor (Autauga)
Broadwater	Harrison	Molette	Taylor (Hale)
Brown	Haynes (Lowndes)	Nelson	Thagard
Bush	Head	Nettles	Thomas
Callahan	Hornsby	Norman	Thompson (Pike)
Cox	Inzer	Pinkston	Tucker
Crocker	Kaul	Pinson	Wallace
Denton	Knight	Pruitt	Ward
Duffee	Larkins	Ramey	White (Covington)
Dumas	McClendon	Richardson	White (Perry)
Evans	McDonald	Robinson	Wood (Bibb)
Faulk	McGowin	Sellers	Wood (Washington)
Ganey	Malone	Shelton	

—66

RESOLUTION

The following resolution was introduced:

By Mr. Brown:

H. J. R. 14. Be it Resolved by the House of Representatives, the Senate concurring, that the Legislature of Alabama, do now adjourn sine die.

The motion of Mr. Brown to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 14 was lost.

Yeas 54; Nays 23.

Yeas:

Messrs.:	Evans	McDonald	Ramey
Adams (Dale)	Faulk	McGowin	Richardson
Adams (Jefferson)	Garrett	Malone	Robinson
Barnett	George	Martin	Sellers
Beatty	Gibson	Meeks	Stone
Brannan	Givhan	Merrill	Sullivan
Brown	Harris	Miller	Taylor (Autauga)
Buckner	Harrison	Molette	Taylor (Hale)
Cole	Haynes (Lowndes)	Nelson	Thagard
Cox	Hornsby	Nettles	Thomas
Crocker	Inzer	Norman	Tucker
Denton	Kaul	Pinkston	Vann
Duffee	Leonard	Pinson	White (Covington)
Dumas	Lovelace	Pruitt	

—54

Nays:

Mr. Speaker	Gillis	McClendon	Still
Bennett	Hankins	Mathison	Thompson (Crenshaw)
Brassell	Head	Mitchell	Wallace
Broadwater	Howell	O'Neal	Weaver
Bush	Knight	Roberts	Wood (Washington)
Coburn	Larkins	Sightler	

—23

And said resolution H. J. R. 14 was read and referred to the Standing Committee on Rules.

RECESS

On motion of Mr. McGowin, the House recessed for thirty minutes.

Yeas 56; Nays 18.

Yeas:

Messrs.:	George	McClendon	Robinson
Adams (Dale)	Gibson	McGowin	Sellers
Adams (Jefferson)	Givhan	Martin	Sightler
Beatty	Hankins	Meeks	Stone
Brannan	Harris	Merrill	Sullivan
Brown	Harrison	Miller	Taylor (Autauga)
Cole	Haynes (Lowndes)	Molette	Taylor (Hale)
Crocker	Head	Nettles	Thagard
Denton	Hornsby	Norman	Thomas
Duffee	Howell	Pinkston	Thompson (Pike)
Dumas	Ingalls	Pinson	Tucker
Evans	Inzer	Pruitt	Vann
Faulk	Kaul	Ramey	White (Covington)
Ganey	Leonard	Richardson	White (Perry)
Garrett			

—56

Nays:

Mr. Speaker	Gillis	Mitchell	Thompson (Crenshaw)
Bennett	Knight	O'Neal	Wallace
Brassell	Larkins	Roberts	Weaver
Buckner	McDanal	Still	Wood (Washington)
Coburn	Mathison		

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The hour of 11:30 A. M. having arrived, the House reconvened.

REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

By Mr. Brown:

H. J. R. 14. Be it Resolved by the House of Representatives, the Senate concurring, that the Legislature of Alabama, do now adjourn sine die.

And H. J. R. 14 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution your signature thereto is requested:

S. J. R. 8. Relative to: Segregation of the two races in the South.

Also:

S. J. R. 9. Relative to: Segregation in the schools and local affairs in the South.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Russell:

S. J. R. 15. BE IT RESOLVED by the Senate, the House concurring, that when the two houses adjourn today, they adjourn sine die.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. McGowin, the House concurred in and adopted the S. J. R. 15 set out in the above and foregoing Message from the Senate.

Yeas 57; Nays 21.

Yeas:

Messrs.:	Broadwater	Duffee	Gibson
Adams (Dale)	Brown	Dumas	Givhan
Adams (Jefferson)	Callahan	Faulk	Hankins
Beatty	Cole	Ganey	Harris
Black	Crocker	Garrett	Harrison
Brannan	Denton	George	Haynes (Lowndes)

Head	Malone	Pinson	Taylor (Autauga)
Hornsby	Martin	Pruitt	Taylor (Hale)
Howell	Meeks	Richardson	Thagard
Ingalls	Merrill	Robinson	Thomas
Kaul	Miller	Sellers	Tucker
Larkins	Moiette	Sightler	Vann
Lovelace	Nettles	Stone	White (Covington)
McClendon	Norman	Sullivan	Wood (Bibb)
McGowin	Pinkston		

—57

Nays:

Mr. Speaker	Evans	Mathison	Still
Benford	Gillis	Mitchell	Thompson (Crenshaw)
Bennett	Inzer	O'Neal	Wallace
Brassell	McDanal	Roberts	Weaver
Bush	McDonald	Shelton	Wood (Washington)
Coburn			

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RESOLUTIONS

The following resolutions were introduced:

By Mr. Merrill:

H. J. R. 15. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. That the Acts, Resolutions and Journals of this Session of the Legislature be printed and bound in the same volumes as the next session of the Legislature.

On motion of Mr. Merrill the rules were suspended and H. J. R. 15 was adopted.

Also:

By Mr. Merrill:

H. J. R. 16. RESOLVED BY THE HOUSE that a committee from the House be appointed to inform the Governor, that the House, having considered all possible legislation included in the Governor's call, is now ready to adjourn sine die.

On motion of Mr. Merrill the rules were suspended and H. J. R. 16 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Merrill, Roberts and Shelton.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Rules Committee:

S. J. R. 17. BE IT RESOLVED by the Senate, the House concurring, that His Excellency the Governor of Alabama be advised that both Houses of the Legislature of Alabama are preparing to adjourn sine die and that the Governor of Alabama be invited to appear before the Legislature or address to it any communications that he may desire addressed to the Legislature prior to the adjournment of the Legislature.

BE IT FURTHER RESOLVED that a committee composed of three members of the Senate, to be appointed by the presiding officer of the Senate and three members of the House to be appointed by the Speaker of the House be named to wait upon the Governor and advise him of the

imminent adjournment of the Legislature in order that he may take such action as he may desire prior to the adjournment of the Legislature; and that said committee then advise the respective houses as to the Governor's wishes.

The President and Presiding Officer of the Senate appointed Messrs. Swift, Coleman and Fite as committee on part of the Senate.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 17 set out in the above and foregoing Message from the Senate.

And the Speaker named as a committee on the part of the House Messrs. Merrill, Roberts and Shelton.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S. J. R. 16. BE IT RESOLVED BY THE SENATE THE HOUSE OF REPRESENTATIVES, CONCURRING:

1. That the Acts, Resolutions and Journals of this Session of the Legislature be printed and bound in the same volume of the next session of the Legislature.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Coburn the rules were suspended and the House concurred in and adopted the S. J. R. 16 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 11. Repealing S. J. R. 19 approved June 8, 1943 and requesting the withdrawal of the name of the State of Alabama from the list of States petitioning for World Government.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 15. Relative to binding and printing of Acts, Resolutions and Journals of this Session of the Legislature.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to wit:

H. J. R. 11. Relative to repealing Senate Joint Resolution No. 19 as appears on Page 117 of the General Acts of Alabama 1943, approved June 8, 1943.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:00 A. M. on June 22, 1950.

H. J. R. 6.

H. J. R. 10.

Delivered to the Governor at 12 o'clock noon on June 22, 1950.

H. J. R. 11.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Sullivan, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

ADJOURNMENT

On motion of Mr. Miller, the House adjourned sine die at 12:15 P. M.

W. M. BECK,
Speaker of the House of Representatives of the Legis-
lature of Alabama, June Special Session of 1950.

ATTEST:

R. T. GOODWYN, JR.

Clerk of the House of Representatives of the Legislature
of Alabama, June Special Session of 1950.

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ACTS AMENDED

- Act approved December 9, 1859, Sections 1 and 5, Act 317, relating to incorporation of, H. 33, pp. 24, 32.
- Act approved September 21, 1939, Sections 3 and 5, relating to tenure of employment of teachers in public schools, H. 10, pp. 14.
- Act approved October 9, 1947, Section 1, Act 607, S. 202, relating to retirement benefit for State employees, H. 49, pp. 33.
- Act approved August 19, 1949, Section 9 of Act No. 424, H. 351, relating to absentee voting, H. 24, pp. 16, 32.
- Act approved August 19, 1949, Section 9 of Act No. 424, H. 351, relating to absentee voting, H. 29, pp. 17, 32.
- Act approved September 2, 1949, Act No. 528, H. 992, relating to establishment of county-wide personnel system, H. 46, pp. 25, 32.

AGRICULTURE

- Exempting loans for agriculture purposes from payment of privilege or license tax, H. 31, pp. 24.

AGRICULTURAL EXPERIMENT STATION

- Establishing in Talladega County for poultry research, H. 25, pp. 16.

ALABAMA POLYTECHNIC INSTITUTE

- Appropriation for Agricultural Experiment Station in Talladega County for poultry research, H. 25, pp. 16.

ALCOHOLIC BEVERAGE CONTROL BOARD

- Levying 2% tax on liquors, H. 3, pp. 13.
- Levying 5% tax upon selling price of liquors, H. 35, pp. 24.

APPROPRIATIONS

- Act approved October 9, 1947, Section 1, Act 607, S. 202, relating to retirement benefit for State employees, H. 49, pp. 33.
- Amending Title 55, Section 343, relating to appropriation for State Board of Adjustment, H. 40, pp. 25.
- For Agricultural Experiment Station in Talladega County for poultry research, H. 25, pp. 16.
- For Teachers' Special Pension Fund, H. 48, pp. 33.
- Making additional appropriation for regional education, H. 12, pp. 14.
- Making additional appropriation to Department of Public Accounts, H. 39, pp. 24.
- State Building Commission for construction of new buildings at Bryce, H. 43, pp. 25.
- To defray expenses of present session of Legislature, H. 4, pp. 13.

AUDITOR

- Increasing compensation of, H. 19, pp. 15.

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- Appointment to Standing Committee on Judiciary, p. 10.

COBURN, PAUL

- Appointment to Standing Committee on Ways and Means, p. 10.

CODE 1940, AMENDED

- Title 7, Section 661, H. 13, pp. 15, 22, 23.
- Title 17, Section 84, H. 22, pp. 16, 32.
- Title 22, Section 224, H. 32, p. 24.
- Title 37, Section 34 (6), H. 21, pp. 16, 32.
- Title 37, Section 34 (8), H. 23, pp. 16, 32.
- Title 37, Section 739, H. 42, p. 25.

- Title 51, Section 2, H. 44, p. 25.
- Title 51, Section 605, H. 36, p. 24.
- Title 51, Section 619, H. 31, p. 24.
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- Title 55, Section 343, H. 40, p. 25.
- Title 60, Section 29, H. 9, p. 14.

COMMITTEES

- Relating to appointment of Legislative Committee to investigate conditions at Bryce Hospital, H. J. R. 10, pp. 21-22, 27, 30, 40.

CONFEDERATE VETERANS

- Amending Title 60, Section 29, 1940 Code, relating to Confederate veterans and their widows, H. 9, p. 14.

CONSTITUTIONAL AMENDMENTS

- Fixing qualifications to register as an elector, H. 8, pp. 14, 31.
- Providing for apportionment of membership in the Legislature, H. 15, pp. 22-23.
- Providing for one senator from each county, H. 1, pp. 12-13, 22, 33-35.
- Providing for the representation in the Senate and House of Representatives, H. 27, pp. 16, 23.
- Relating to legislative representation, H. 37, pp. 24, 30, 32.
- Relating to municipalities of Marion County, H. 6, pp. 13, 30-31.
- Relating to municipalities of Winston County, H. 11, pp. 14, 31.
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JOURNAL
OF THE
House of Representatives
OF
ALABAMA

SECOND SPECIAL SESSION 1950
HELD IN THE CITY OF MONTGOMERY COMMENCING
WEDNESDAY, JULY 5, 1950



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
ALABAMA
SECOND EXTRAORDINARY SESSION 1950

FIRST DAY

House of Representatives,
Montgomery, Alabama,
Wednesday, July 5, 1950.

Be it remembered that on the 28th day of June, 1950, His Excellency, James E. Folsom, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

A PROCLAMATION BY THE GOVERNOR

WHEREAS, the members of the Constitutional Convention who prepared and promulgated the Constitution of 1901 recognizing that population shifts would occur in the State of Alabama from time to time; and the voters of the State who by their ballots ratified said Constitution, understanding the provisions of apportioning membership in the House and the Senate after each decennial census, beginning in 1910, as provided by Sections 199 and 200 of said Constitution; and

WHEREAS, each of the several Legislatures which have convened since the decennial census of 1910, including the present Legislature, have failed to perform the duty required by it by Sections 199 and 200 of said Constitution, and the membership thereof has failed or refused to keep and perform the oath of office to which they each subscribed upon entering upon the duties of their respective offices; and

WHEREAS, the failure of the Legislature to comply with the provisions of said Sections 199 and 200 of the Constitution of 1901 has caused to be abridged the privileges or immunities of the citizens of the State of Alabama and tends to deprive said citizens of the due process of law guaranteed to them under the Fourteenth Amendment of the Constitution of the United States; and

WHEREAS, on June 19, 1950, I, James E. Folsom, as Chief Executive of the State of Alabama, called the Legislature into Special Session for the express purpose of complying with Sections 199 and 200 of the Constitution of Alabama of 1901; and

WHEREAS, the Legislature illegally adjourned without complying with said Sections 199 and 200 of the said Constitution of 1901, and leading Constitutional authorities are of the opinion that any Act attempted to be passed by this legislature, or any subsequent legislature could not legally become a law because of the failure of the said legislature to take action when specifically called for the purpose of reapportionment.

WHEREAS, the possible illegality of future Acts of the Legislature has caused an extraordinary occasion in the State of Alabama which

demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, James E. Folsom, as Governor of the State of Alabama, do hereby proclaim such extraordinary occasion to exist and I proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 12:00 M. on Wednesday, the 5th day of July, 1950, and I do hereby designate the following suggestions and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. To pass an Act proposing an Amendment to Section 50 of the Constitution of Alabama 1901 providing for one Senator from each County in the State of Alabama, and to fix the number of representatives and apportion them among the several counties of the State, according to the number of inhabitants in them respectively.

2. To pass an Act proposing an Amendment to Section 197 of the Constitution of Alabama of 1901 providing for one Senator from each County in the State of Alabama.

3. To pass an Act proposing an Amendment to Section 198 of the Constitution of 1901 to fix the number of the members of the house of representatives and to make a reapportionment of the members of the house of representatives among the several counties of the State, according to the number of inhabitants in them respectively, as ascertained by the decennial census of the United States, which apportionment when made shall not be subject to alteration until the next session of the Legislature after the next decennial census of the United States shall have been taken, as prescribed by Section 198 of the Constitution of 1901.

4. To pass an Act fixing by law the number of representatives, and apportioning them among the several counties of the State, according to the number of inhabitants in them, respectively, providing that each county shall be entitled to at least one representative, as prescribed by Section 199 of the Constitution of 1901.

5. To pass an Act proposing an Amendment to Section 200 of the Constitution of Alabama of 1901 to provide that the State of Alabama be divided into sixty-seven (67) Senatorial Districts, each district to consist of one county, and providing that counties created after the adoption of this amendment shall constitute an additional Senatorial District, and to provide that one Senator be elected in and for each Senatorial District.

6. To pass or adopt an Act or resolution providing for the holding of a Convention to alter, revise or amend the constitution of the State of Alabama, and especially to provide for the reapportionment of the legislature as provided in the Constitution of 1901, and submitting the question of Convention or no Convention to a vote of all of the qualified electors of the State of Alabama for their approval, as provided by Article XVIII of the Constitution of Alabama of 1901.

7. To reapportion the legislature of Alabama to comply with Article IX of the Constitution of Alabama of 1901 in such other, further or different manner as may in the wisdom of the Legislature seem fit and proper.

8. To provide for the passage of any local legislation applicable to single counties or subdivisions thereof.

DONE at the Capitol of the State of Alabama on this the 28th day of June, A. D. 1950.

JAMES E. FOLSOM,
Governor.

Attest:
SIBYL POOL,
Secretary of State.

In pursuance whereof, at the hour of 12 M. on Wednesday the 5th day of July, 1950, the Representatives in the Legislature of Alabama, assembled in the hall of the House of Representatives.

The House was called to order by the Hon. W. M. Beck, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by Dr. H. E. Russell, Minister, Trinity Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names:

Mr. Speaker	Doughty	Larkins	Roberts
Adams (Dale)	Duffee	Lovelace	Robinson
Adams (Jefferson)	Dumas	McClendon	Rogers
Barnett	Dyar	McDanal	Sellers
Beatty	Evans	McDonald	Shelton
Benford	Faulk	McGowin	Shirley
Bennett	Ganey	Malone	Sightler
Black	Garrett	Martin	Still
Brannan	George	Mathison	Stone
Brassell	Gibson	Meeks	Sullivan
Broadwater	Gillis	Merrill	Taylor (Aufauga)
Brown	Givhan	Miller	Taylor (Hale)
Buckner	Hankins	Mitchell	Thagard
Busby	Harris	Molette	Thomas
Bush	Harrison	Morring	Thompson (Crenshaw)
Callahan	Haynes (Franklin)	Nelson	Thompson (Pike)
Coburn	Haynes (Lowndes)	Norman	Wallace
Cole	Head	O'Neal	Ward
Cox	Hornsby	Pinkston	Weaver
Crocker	Howell	Pinson	White (Perry)
Denton	Ingalls	Ramey	Wood (Bibb)
Dobbs (Elmore)	Inzer	Richardson	Wood (Washington)
Dobbs (Fayette)	Knight		

—90

A quorum was present.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Roberts:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Clerk of the House notify the Senate that the House is now ready for the transaction of business.

On motion of Mr. Roberts, the rules were suspended and H. R. 1 was adopted.

Also:

By Mr. Roberts:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED that the said Committee ascertain and report back to these bodies if the Governor desires to address a joint

session of the Legislature and if so, the time most suitable to His Excellency.

On motion of Mr. Roberts, the rules were suspended and H. J. R. 2 was adopted.

And the Speaker named as a committee on the part of the House, Messrs. Roberts, Mitchell and Larkins.

Also:

By Mr. Wallace:

H. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

1. The Legislative Council of the State of Alabama is directed to conduct investigations and make factual studies concerning the scope and effect of existing laws regulating the business of lending money, and to make recommendations for the enactment of legislation providing more effective regulation.

2. The Council is authorized to utilize the employees, services and facilities of all State agencies in conducting its investigations and making its recommendations.

3. The Council shall make a report of its investigations, findings, and recommendations to the House of Representatives at the 1951 regular session of the Legislature.

On motion of Mr. Wallace, the rules were suspended and H. R. 3 was adopted.

Also:

By Mr. Givhan:

H. R. 4. BE IT RESOLVED by the House of Representatives of the Legislature of Alabama:

WHEREAS, the recent decisions of the United States Supreme Court involving the public schools of Texas and Oklahoma have placed in danger the entire principle of segregation in our schools; and

WHEREAS, we will not submit to the intermingling of white and negro children in our public schools in Alabama contrary to the express provisions of our Constitution and our laws;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the Legislature of Alabama as follows:

We sincerely urge that the federal courts, agencies, and employees exercise caution lest the relationship between the races, harmonious in the past, be embittered by the efforts of the Federal Government to seize power in local matters hitherto reserved to the local governments by the long-recognized principles of local self-government.

We reaffirm our faith in the rights of the States to administer their local affairs, including their police power over race relationships and local customs.

We notify our senators and our representatives in the Congress that we expect them to protect us against the continual encroachment of a powerful federal government in breaking down the rights hitherto well recognized of the States and of the local communities in relation to their citizens.

BE IT FURTHER RESOLVED that the Speaker of the House be requested to forward a copy of this resolution to the President of the United States, to the Chief Justice of the Supreme Court, and to the Senators and Representatives from Alabama in the Congress

On motion of Mr. Givhan, the rules were suspended and H. R. 4 was adopted.

Also:

By Mr. Givhan:

H. R. 5. BE IT RESOLVED by the House of Representatives of the Legislature of Alabama that:

WHEREAS, the way of life of the southern people, civilization itself as we know it in the South, and peace and good will between the white and negro races depend upon the maintenance of segregation; and,

WHEREAS, we are proud of the progress made in every way by the southern negro since reconstruction, and of the great part played by the southern white people in this progress;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the Legislature of Alabama that:

We deplore the continuous efforts by the federal courts, the President of the United States, and the Congress to destroy this principle of segregation of the races upon which southern civilization rests, and to seek to force intermingling of the races on their jobs, in homes, in public conveyances, and in our schools. We insist upon recognition of our right to our laws and our customs, and to local self-government in our local affairs.

We condemn as un-American and unwise the continuous efforts to change our laws and our customs by the Federal Government and its agents, and we urge them to refrain from acts which make more difficult the solution of the problems presented by the existence of the two races in the South.

BE IT FURTHER RESOLVED that the Speaker of the House be requested to forward a copy of this resolution to the President of the United States, to the Chief Justice of the Supreme Court, and to the Senators and Representatives from Alabama in the Congress.

On motion of Mr. Givhan, the rules were suspended and H. R. 5 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to inform you that the Senate is now in Session and ready for the transaction of business.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. Relative to appointing Committee to ascertain from His Excellency, the Governor, if he desires to address a joint session of the Legislature.

And the President and Presiding Officer of the Senate appointed as committee on part of the Senate Messrs. Cooper and Fite.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Messrs. Meeks, Adams (Jefferson) and Pinson:

H. J. R. 6. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That Senate Joint Resolution No. 19 as appears on Page 117 of the General Acts of Alabama 1943, approved June 8, 1943 be and same is hereby repealed.

BE IT FURTHER RESOLVED that the Secretary of State, Washington, D. C. be requested to withdraw the name of Alabama from the list of States petitioning for World Government.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Secretary of State advising him of the action taken by the Alabama Legislature, and also copies be mailed to our Representatives and Senators in the Congress of the United States.

On motion of Mr. Meeks, the rules were suspended and H. J. R. 6 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following joint Resolution and sends same herewith to the House for its consideration:

By Mr. Fite:

S. J. R. 1. RESOLVED BY THE SENATE, the House concurring, that the Senate and House convene in joint session in the Hall of the House of Representatives at 12:45 P. M. today to hear a Message by the Governor.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the rules were suspended and the House concurred in and adopted the S. J. R. 1 set out in the above and foregoing message from the Senate.

JOINT SESSION

The hour of 12:45 o'clock P. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the hall of the House of Representatives, in accordance with Senate Joint Resolution No. 1, for the purpose of hearing an address by the Governor of the State of Alabama.

The joint session was called to order by the Hon. J. C. Inzer, Lieutenant Governor and Presiding Officer of the Senate.

The Hon. James E. Folsom, Governor of the State of Alabama, appeared and addressed the Joint Session of the Legislature of the State of Alabama as follows:

To the Members of the Senate and House of Representatives of Alabama in Joint Session Assembled:

You have again been called into special session because I am still anxious to discharge, as fully as I may, the official duties I assumed when I took the office as Governor of this great state, among which is the duty of enforcing the constitution as well as the statute laws enacted and promulgated for the government of our people, and to give to the members of this outgoing Legislature another opportunity of fulfilling and discharging the duties imposed upon you when you took the oath of your respective offices.

Article IX, Section 199 of the Constitution of Alabama of 1901 provides as follows, and I quote:

"It shall be the duty of the Legislature at its first session after the

taking of the decennial census of the United States in the year nineteen hundred and ten, and after each subsequent decennial census, to fix by law the number of representatives and apportion them among the several counties of the state, according to the number of inhabitants in them, respectively: provided, that each county shall be entitled to at least one representative."

Section 200 provides as follows, and I quote:

"It shall be the duty of the legislature at its first session after taking of the decennial census of the United States in the year nineteen hundred and ten, and after each subsequent decennial census, to fix by law the number of senators, and to divide the State into as many senatorial districts as there are senators, which districts shall be as nearly equal to each other in the number of inhabitants as may be, and each shall be entitled to one senator, and no more; and such districts, when formed, shall not be changed until the next apportioning session of the legislature, after the next decennial census of the United States shall have been taken; provided that counties created after the next preceding apportioning session of the legislature may be attached to senatorial districts. No county shall be divided between two districts, and no district shall be made up of two or more counties not contiguous to each other."

It has been the duty of each Legislature which has convened since the decennial census of 1910, including the present Legislature, to reapportion the membership of the House and the Senate of this State, according to population; this duty has never been discharged. The census of 1950 for Alabama has now been completed, and the shift in population from the rural and agricultural sections of Alabama to the metropolitan, manufacturing and mining areas have grown more pronounced with each decennial census since 1901, and there is not a fair-minded citizen within the borders of the State of Alabama but what recognizes the inequalities now existing in the membership of the present Senate and House of Representatives in this State.

Perhaps when I called you into extraordinary session on June 19 and specifically set forth a reapportionment of the Senate of Alabama by Constitutional Amendment, creating 67 Senatorial Districts with a representative in the Senate from each District, and/or calling for a Constitutional Convention specifically for the purpose of reapportioning the Senate and House of Representatives, and limited your consideration to those two items, the methods of reapportionment were not as broad as they should have been, because Article IX of the Constitution of 1901 is a mandate to the Legislature to reapportion the membership thereof after each decennial census, and unless and until the Constitution is amended and the provisions of Article IX changed, it is the duty of the Legislature to make such reapportionment, and it is my duty as Chief Executive of the State of Alabama, to enforce the provisions of the Constitution, including Article IX thereof, as well as the statute laws of the State, so long as they remain on our statute books as the law of the land, and so long as I am Governor I shall use every power at my command to see that they are enforced.

I have therefore, in calling you together on this occasion, opened the door for you to reapportion the membership in the Legislature as to you seems wise and proper, and under the various provisions embodied in this call it is your responsibility and your duty to either reapportion the membership in the Legislature as provided by Article IX, or submit an amendment or amendments of the Constitution to the voters of the State, changing the method of apportionment of the representative body of this State, and a failure or refusal on your part to do either the one or the other can only result in a most embarrassing position for the State of Alabama by bringing a shadow of illegality upon every provision of the Legislature enacted into law in the future, except such acts as may

be construed as an extension and amplification of the common law, or justified under governmental public policy.

Article XIV of the Constitution of the United States was adopted as an amendment to the Constitution and transmitted to the Department of State on the 21st day of July 1868, and became a part of the Constitution of the United States, and Section 1 of said Article provides as follows, and I quote:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the law."

I am of the opinion, after consultations with many well known Constitutional lawyers, that the Legislature of Alabama, as now composed, is in conflict with and in violation of Article IX of the Constitution of 1901, and that therefore is an illegal legislative body, and that a failure of the Legislature to apportion its membership on a population basis, as provided by Article IX of the Constitution of 1901, or to propose some amendment to said Constitution so as to provide an equitable apportionment of its membership, is a denial to many persons within this State the equal protection of the laws and therefore, is in violation of Section 1, Article XIV of the Constitution of the United States. After this call it seems that the only action this Legislature and its successors can take is action leading towards reapportionment of the Legislature.

Notwithstanding the differences in opinion among the membership of this Legislature upon the question of reapportionment and not withstanding the fact that this Legislature has differed with the views expressed by the Executive Department and has not complied with recommendations made by that department, I still believe that you, the members of this Legislature, are interested in the welfare of the whole people of this State and are desirous of performing your duty under your oaths, and in accordance with the Constitution and laws of this great State.

Having in mind the serious consequences that might result to the people of Alabama if, upon presentation to the Supreme Court of the United States the statute laws enacted by this, or any future Legislature, after you have been called into extraordinary session for the specific purpose of apportioning the membership in the Legislature, as our Constitution directs, I call upon you to take whatever action seems best to you for the apportionment of the membership in the Legislature of Alabama.

I recommend to you the proposal of a Constitutional amendment to the people of Alabama providing for representation in our Legislative body along the lines established by the framers of our National Constitution, that is dividing the State into 67 Senatorial Districts, making each county in the State a district, and providing for a Senator from each District; and apportioning the membership of the House of Representatives according to population, providing however, that each county shall have at least one member in the House of Representatives. If this method of apportioning the membership in the Legislature does not meet with your approval, I urge upon you the importance of working out and promulgating some method of apportioning the Legislature of Alabama in accordance with justice, equality and right.

Our Government, both National and State, is founded upon the Democratic principle of three separate and distinct branches, the Executive, Legislative and Judicial, each having separate and distinct responsibilities and duties to perform, and again I say to you that when I have called you together for the specific purpose of performing your duty, as

provided by Article IX of the Constitution of 1901, or of proposing an amendment to the Constitution so as to provide a more equitable apportionment of the membership of the Legislature, I have performed my duty as Chief Executive and the responsibility of performing your duty rests upon you. I repeat, however, I do believe the provisions of the Constitution of Alabama, including Article IX thereof, should be enforced as well as the statute laws of the State, so long as they remain on our statute books as the law of the land, and that I shall use every power at my command to see that they are enforced so long as I am Governor of Alabama.

I also recommend that an Act or Resolution, providing for the holding of a Constitutional Convention to alter, revise or amend the Constitution, and especially to provide for reapportionment of the Legislature and submitting the question of convention or no convention to a vote of all the qualified electors of Alabama for their determination, be enacted by the Legislature as provided by Article XVIII of said Constitution.

The Legislature of Alabama is not required by the Constitution to submit the question of a Constitutional Convention to the voters of this State, that is not a mandate of our organic law, as are the provisions of Article IX, making it the duty of the Legislature to apportion its membership after each decennial census, but if this Legislature, after exploring all the methods of apportionment cannot agree upon a fair, just and equitable method of apportionment of the membership of the Legislature of Alabama, or agree upon Constitutional amendments to provide for such equitable apportionment, then I do urge upon you the importance of providing for a Constitutional Convention, whose membership will be made up of delegates elected by all the people of the State of Alabama, whose only duty and only purpose shall be to alter, revise or amend the organic law of this State, so as to do justice to all of its citizens alike.

My purpose in calling you together so soon after your adjournment, without action, is in order that if you see fit either to propose amendments to the Constitution for the purpose of providing a more equitable apportionment of the membership of the Legislature, or of submitting the question of Constitutional Convention or no Constitutional Convention to all of the qualified electors of the State, that you may do so and adjourn in time that these questions may be voted upon by the people at the General Election on November 7 next.

1. Let me again remind you I have called you into extraordinary session to consider a Constitutional Convention which is much needed in Alabama. In addition to many other things this would provide reapportionment if the Legislature cannot agree on another form of reapportionment. If you fail to agree on that.

2. I recommend, and it is in my call, reapportionment along the lines of the National Congress. This can be done by amendment to the Constitution of Alabama. If you cannot agree on that

3. I recommend, and it is in my call, reapportionment on a strict population basis. In the event you cannot agree on this

4. I recommend, and so have it in my call, reapportionment of the Legislature by any other or further means as to the Legislature may seem wise and expedient.

I insist, and the people of Alabama insist that both Houses of this Legislature vote and express themselves before the people of this great sovereign state on one or more of these questions.

I hope you will give serious consideration to the matters before you for your determination, and perform your duties as expeditiously as possible.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Sellers, Thagard and Inzer:

H. 1. To provide legal counsel for the Chief Examiner and the Department of Examiners of Public Accounts and to provide salary for counsel.

Judiciary.

By Messrs. Sellers, Thagard, Inzer and Faulk:

H. 2. Making an additional appropriation to the Department of Examiners of Public Accounts for the fiscal year 1950-51.

Ways and Means.

By Mr. Merrill:

H. 3. To make appropriation of one hundred and fifty thousand dollars (\$150,000.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the Legislature.

Ways and Means.

By Mr. Wallace:

H. 4. To provide for a survey of cerebral palsied children in the State; to authorize and direct the State Board of Education to make provisions for the care and treatment of such children as a part of the program for the physical restoration of crippled children, including the establishment of diagnostic centers, hospitals or clinics for the treatment of children suffering from cerebral palsy and schools for the training of such children; and to authorize the Board of Education to provide training courses on the specialized care and treatment of cerebral palsy for physicians, therapists, and nurses as a stimulus for the propagation of better knowledge of cerebral palsy in the state, and in any other manner to diffuse information relative to the care and treatment of cerebral palsied children.

Ways and Means.

By Mr. Wallace:

H. 5. To levy a tax of two percent (2%) upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board; providing for the manner of collection and the use of the proceeds thereof.

Ways and Means.

By Mr. Thompson (Crenshaw):

H. 6. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Constitution and Elections.

By Mr. Thompson (Crenshaw):

H. 7. To provide for civil defense: Creating an Office of Civil Defense; providing for a Director of Civil Defense, fixing his compensation, powers and duties; and creating a Technical Advisory Committee to advise and assist the Director.

Ways and Means.

By Mr. Benford:

H. 8. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Constitution and Elections.

By Mr. Miller:

H. 9. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Constitution and Elections.

By Mr. Miller:

H. 10. To amend Section 298 of Title 52 of the Code of Alabama (1940), which relates to the minimum age at which children may attend school.

Judiciary.

By Mr. Roberts:

H. 11. Proposing an Amendment to the Constitution of Alabama.

The above and foregoing bill, H. 11, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Messrs. Dumas, Kaul, Beatty, Gibson, Meeks, Sadler and Adams (Jefferson):

H. 12. To propose an amendment to the Constitution providing for the number of representatives and the apportionment of representatives in the House of Representatives of Alabama among the several counties.

The above and foregoing bill, H. 12, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Messrs. Dumas, Kaul, Beatty, Gibson, Meeks, Sadler and Adams (Jefferson):

H. 13. To reapportion the Membership of the House of Representatives among the several Counties of the State, as required by Sections 198 and 199 of the Constitution, according to the population as shown by the decennial census of the United States for the year 1950.

Constitution and Elections.

By Mr. Callahan (with notice and proof):

H. 14. To repeal Act Number 424 of the Local Acts of Alabama of 1947, page 281, approved September 25, 1947, entitled an Act levying in Tuscaloosa County, Alabama, additional special privilege or license taxes and excise taxes, etc.

Local Legislation.

Notice and Proof H. B. 14:

Notice is hereby given that an act in substance as follows will be introduced at the next session of the Legislature:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act Number 424 of the Local Acts of Alabama of 1947, page 281, approved September 25, 1947, entitled an act levying in Tuscaloosa County, Alabama, additional special privilege or licenses taxes and excise taxes, etc.

Be It Enacted by the Legislature:

Section One: That Act Number 424 of the Local Acts of Alabama of 1947, page 281, approved September 25, 1947, entitled "An Act Levying in Tuscaloosa County, Alabama, additional special privilege or license taxes and excise taxes, etc.," be and the same hereby is repealed.

Section Two: This Act shall become effective June 15, 1951.

THE TUSCALOOSA NEWS.

June 12, 19, 26—July 3,—4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Leo J. Jones, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Legal Clerk of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1950.

LEO J. JONES.

Sworn to and subscribed before me July 5th., 1950.

LILLA COLLINS,
Notary Public.

By Mr. Givhan:

H. 15. To amend Section 31 of Title 17 of the Code of Alabama (1940), which relates to the examination of applicants for registration as voters.

Constitution and Elections.

By Mr. Givhan:

H. 16. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

The above and foregoing bill, H. 16, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Messrs. Givhan and Molette:

H. 17. To amend Section 29 of Title 60 of the Code of Alabama (1940), as amended, which relates to the amounts of pensions to be paid to Confederate veterans and their widows.

Ways and Means.

By Messrs. Givhan and Beck:

H. 18. To amend Section 224 of Title 22, Code of Alabama (1940), which authorizes the Milk Control Board to make reasonable rules and regulations covering fair trade practices among licensees of said board.

Agriculture.

By Mr. Thompson (Crenshaw):

H. 19. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one Senator from each county; ordering an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next General Election in November 1950.

The above and foregoing bill, H. 19, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. McDanal (with notice and proof):

H. 20. To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violation.

Local Legislation.

Notice and Proof H. B. 20:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

Notice is hereby given that at the Extraordinary session of the Legislature of Alabama which convened on the 19th day of June, 1950, application will be made for a special or local law, which shall be in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violation.

Be It Enacted by the Legislature of Alabama:

Section 1. APPLICATION. This act shall apply to and have application in the City of Jasper only and to the police department, the fire department, and City Clerk's office of such city.

Section 2. DEFINITIONS: As used in this act, unless the context plainly indicates a different meaning, the following words, terms and phrases shall have the meanings respectively ascribed to them: "city" means the City of Jasper; "employee" means any person (including the head of department) who is employed in the service of the city on a regular monthly salary in the city clerk's office, the fire department or the police department; "board" means the civil service board created by this act; "head of department" includes chief of the police department, chief of the fire department, and city clerk; "veteran" means any person who was honorably discharged after serving for six months or more in the armed services of the United States during World War I or World War II. Words used in the masculine gender include the feminine and neuter; the singular include the plural, and the plural the singular.

Section 3. CIVIL SERVICE SYSTEM. All employees of the city as herein defined shall be subject to the civil service rules and regulations prescribed in or promulgated pursuant to this act. Present employees and those who may hereafter be employed shall remain in their respective employments during good behavior, efficiency, and obedience to such rules and regulations as may, from time to time, be prescribed by the board and the board may by rule prescribe a retirement age for all employees; but nothing herein shall be construed to prevent or preclude the removal of an employee for cause in the manner hereinafter provided; and no present employee shall be subject to any examination in order to hold his present position.

Section 4. CIVIL SERVICE BOARD. There is created the Civil Service Board of Jasper, which shall be composed of three members designated respectively as Member No. 1, Member No. 2, and Member No. 3, each of who shall be over twenty five years of age of recognized character and ability, and an actual resident in and a qualified elector of the city. No person shall be eligible for membership on the board who holds any civil office of profit under the city, county, or state. Immediately after the passage of this act, Members No. 1, 2, and 3 shall be appointed by the city governing body. Member No. 1 shall be appointed to serve for a period of one year. Member No. 2 shall be appointed to serve for a period of two years, and Member No. 3 shall be appointed to serve for a period of three years. Each year thereafter the City governing body shall appoint one person as the successor to the member of the civil service board whose term expires that year, to serve for a period of three years. Vacancies occurring from death or resignation shall be filled by the city governing body for the unexpired term. Any member of said board whose term shall expire shall be eligible for reappointment. The board shall meet at least once a month in City Hall

building on a date and at an hour to be fixed by its rules and regulations, and as often as shall be necessary for the orderly dispatch of its business. Two members of said board shall constitute a quorum. All appointments to the board shall be by unanimous vote of the governing body of the city.

Any member of the board may be removed from office at any time by a unanimous vote of such governing body.

Section 5. QUALIFICATION BY MEMBER. Every person appointed a member of the civil service board shall within fifteen days after his appointment, qualify by making oath that he is eligible for said office and will faithfully perform the duties of the same. Such oath shall be administered by any person authorized to administer oath or by any member of the city governing body, and a copy thereof shall be filed with the city clerk.

Section 6. COMPENSATION. The compensation of each board member shall be one hundred dollars per annum, payable quarterly by the city, and the member chosen to serve as secretary of the board shall be paid an additional sum of fifty dollars per annum, payable quarterly, for his services as secretary.

Section 7. RECORDS OF THE BOARD. The board shall keep minutes of the meetings and a record of all business transacted by it. Its records, except those which the rules of the board require to be held confidential for reasons of public policy shall be open for inspection by any resident of the city at all reasonable times. The secretary shall act as the custodian of the records of the board. The police department shall furnish such clerical assistance as may be needed by the board.

Section 8. POWERS AND DUTIES OF THE BOARD. The board shall make rules and regulations to carry out the purposes of this act and to provide for examinations appointments and removals, and the board may, from time to time, make changes in its rules. The head of each department shall recommend for promotions persons to fill any vacancies that may occur in his department. All promotions shall be made by the board. The board may make rules and regulations relating to the eligibility for promotion. The board shall: (1) classify the different types of service to be performed in the departments of the city; (2) prescribe qualifications, including those of character, education, training and experience, for the appointees and incumbents of each class; (3) subject to approval of the city governing body, fix a maximum and minimum salary for each class; and (4) allocate each position in the service of the city to its proper class. The board shall establish rules and regulations governing dismissals, suspensions, layoffs, terminations, vacations and leaves of absence, and such rules and regulations shall govern in such matter. Except in connection with a reduction in force, demotion, suspension, or general decrease in salary of all employees in any one department, no employee's regular salary or compensation may be reduced without the approval of the board. All employees shall be appointed upon a non-partisan merit basis. In the event a reduction in force becomes necessary in any department, the order of layoff shall be inverse to the order of the appointment.

Section 9. APPOINTMENTS. The board shall make and keep a register or list of all persons eligible and available for appointment to each class of position and all appointments shall be made from such eligible list. Persons laid off and who are eligible and available for re-employment shall be placed at the head of the proper eligible list in the inverse order of their layoffs. Employees who resign may be granted re-employment status under such circumstances and in such manner as may be provided for in the board's rules and regulations. Persons desiring appointment may file application with the board, and the board shall, from time to time, conduct examinations to test the ability and qualifications of such applicants. Except as otherwise provided herein

all applicants shall be examined and examinations shall be open to all citizens of the United States, public, competitive and subject to the limitations specified by the board as to age, residence, health height, weight, habits, moral character, and other factors pertinent to ability to fully determine the duties of the position sought. Examination shall be practical in character and shall relate to those matters which test the ability of the person examined to discharge intelligently the duties of the position for which he applies. In no case shall an appointment be made from an eligible list which is more than two years old. All applicants shall be graded. A veteran and the widow of a veteran shall have five (5) points added to his or her grade. Any veteran who is drawing compensation from the United States because of a service-connected disability shall have ten (10) points added to his grade and his wife, if he be disqualified by reason of such disability, shall have ten (10) points added to her grade. The board shall not examine or appoint any person who is not a citizen of the United States or who has been convicted of a felony or an offense involving moral turpitude.

Section 10. APPLICATIONS FOR EMPLOYMENT. All applicants for employment shall file their applications in writing with the board, said applications to be on blank forms furnished by the board. The board shall conduct all examinations, and whenever an examination is to take place shall notify the applicants in writing. Each applicant for examination shall pay to the city clerk the sum of two dollars as an examination fee, and the receipt therefor shall be attached to his application. Said sum shall be placed in the general fund of the city.

Section 11. VACANCIES. The city governing body shall notify the board of any vacancy which occurs in the city clerk's office, the fire department or the police department, and the board shall furnish to it the names and addresses of the three applicants standing highest on the eligible list; and one of the said applicants shall be appointed by the governing body of the city to fill such vacancy. All appointments shall be on a trial basis for a period of six months from the date of appointment. Before the expiration of said period, the head of the department concerned may, by and with the consent of the board, discharge the appointee upon assigning in writing his reasons therefor to the board. The head of a department may be discharged before the expiration of said period by the city governing body with the approval of the board.

Section 12. DEMOTIONS OR SUSPENSIONS. A department head shall have authority in his department to demote any subordinate employee by and with the consent and approval of the board, provided, however, that upon written demand filed with the board within five days from the date of the order of demotion and the employee shall be given a public hearing by the board before any order of demotion shall be final. A department pending the hearing by the board. Any head of department may be similarly suspended or demoted by the city governing body and shall have the same right of hearing.

Section 13. REMOVAL AND DISCHARGES. No permanent employee shall be removed or discharged except for cause, upon charges filed with and decided by the board and after an opportunity has been given him to face his accusers, to be heard in his own defense, and to be represented by counsel. Written charges may be filed against any such employee by the governing body of the city or by any member thereof, or may be filed by any department head as to any subordinate employee in his department by filing a written statement of such charges with the board. Charges against any department head or any employee may be filed by any resident citizen of the city. All charges must be in writing, must set forth succinctly the matters complained of, and must be sworn to before a member of the board or before any person authorized to administer oaths. Upon the receipt of such charges, the board, after due consideration, shall determine whether in its opinion it considers that the good of the service will be served by a trial thereon; and, if not, such

charges may be dismissed by the board, but if the board is of the opinion that a trial should be held thereon, the board shall hold a public hearing on the charges and take such disciplinary action as in their judgment is warranted by the evidence and under the law. All hearings before the board shall be open to the public provided that when a written waiver of a public hearing signed by the complainant and the accused employee, is filed with the board, the public may, in the discretion of the board be excluded. All testimony given in all hearings before the board shall be taken down in short hand by a stenographer furnished by the police department. In all cases, the decision of the board shall be reduced to writing and entered in the record of the case. In all proceedings before the board, the city attorney may appear and prosecute all charges instituted by the city governing body or any member thereof, or by any department head, when requested or directed to do so by such city governing body. It shall not be the duty of the city attorney to prosecute any charges brought by private citizens. In all proceedings before the board, the city attorney may appear and represent the interest of the city, and he shall also give such legal advice and legal assistance to the board as may be requested by it.

If any employee against whom charges are pending willfully fails to or refuses to attend the hearing of such charges before the board, the board may proceed with the hearing in his absence and take action on the charges the same as if he were present. The board, its specially authorized representatives, and each member of the board shall have the power to administer oaths, take deposition, certify official acts, and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in connection with any hearing, investigation or proceeding within the purview of the act. In case a person refuses to obey any subpoena the board or its representatives may invoke the aid of any circuit court in order that the testimony or evidence be produced. Upon proper showing, such court shall issue a subpoena or order requiring the person to appear before the board or its representatives and produce evidence and give testimony relating to the matter in issue. A person who fails to obey such subpoena may be punished by the court for contempt. The fees of witnesses for attendance and travel shall be the same as fees for witnesses in the circuit courts of this state, which fees shall be paid from the city treasury.

Section 14. REVIEW OF DECISION AND APPEALS. Any party, including the city governing body, aggrieved by a final decision by the circuit court of Walker County, Alabama, by filing a petition to be accompanied by such security for the costs of the appeal may be approved by the clerk of the court. Upon the filing of any such petition and approval of such security, notice thereof shall be served upon the chairman of the board by the petitioner. Such petition shall be heard by the court at the earliest practicable date. Review by the court shall be without a jury and confined to the record, including a transcript of the evidence. The court may, upon such terms and conditions as it shall deem proper, at any time before the hearing of the petition permit the taking of additional evidence before the board and allow modification of the board's findings and final decision. The court, upon a hearing of the petition, shall have power to affirm or reverse and render the decision of the board or to remand the matter to the board for further proceedings consistent with the judgment of the court. The court shall affirm the decision of the board unless it finds that the substantial rights of the petitioner have been prejudiced because the final decision of board was: (1) unsupported by substantial evidence in the record submitted; (2) in excess of the authority conferred by this act on the board; (3) violative of constitutional provisions; (4) arbitrary or capricious; (5) affected otherwise by substantial error or injustice. Within 30 days an appeal may be taken from any final judgment of such court to the Court of Appeals of Alabama or the Supreme Court of Alabama. The decision or order

of the board shall not be superseded by any review or appeal and the city shall not be obligated to pay the salary of any employee who is not working during the pendency of any review or appeal.

Section 15. POLITICAL ACTIVITIES PROHIBITED. No person shall be appointed or promoted to, or dismissed from any position, or in any way favored or discriminated against with respect to employment because of his political or religious opinions or affiliations. No person shall seek or attempt to use any political endorsement in connection with any appointment to a position. No member of the board shall directly or indirectly solicit any employee for a subscription or contribution for any political organization. No employee shall be a member of any national, state, or local committee of a political party, or an official of a partisan political club, or a candidate for nomination or election to any public office, nor shall he take any part in the management or affairs of any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote. Any employee who violates any of the foregoing provisions of this Section shall suffer such disciplinary punishment as the board may direct.

Section 16. PENALTIES. The violation by any employee of any provision in this act or of any of the rules or regulation issued by the board in pursuance thereof, shall constitute an offense for which charges may be preferred against such employee as hereinabove provided and if such charges are sustained by the board after a notice and hearing as hereinabove provided such employee may be discharged or lesser disciplinary action taken against him. The board may in its discretion also decline for a period of one year to reappoint an employee who has been discharged for such cause. The board may on its own motion institute charges against an employee for the violation of any of the provisions of this act or of any of the rules or regulations issued in pursuance hereof.

Section 17. SPECIAL POLICE OFFICERS AND TEMPORARY APPOINTMENTS. The city governing body may, in an emergency, or in cases where it deems proper, authorize the chief of police to appoint for temporary service such number of police officers as in the opinion of the city governing body the existing conditions demand. All officers so appointed shall be furnished with badges of different sizes and design from the regulation badges used by the regular members of the police force. The chief of police shall furnish the board with the names and addresses of all persons to whom he has issued special badges. From and after the effective date of this act, all outstanding commissions conferring police authority upon persons other than those who are regular members of the police department of such city shall be void. The city governing body may, in an emergency or in cases where it deems proper, authorize the head of any department named in this act, to appoint for temporary service such number of salaried employees (including part-time employees) as in the opinion of the board the existing conditions require. No such temporary appointment shall be made for a period of more than 30 days.

Section 18. CHAIRMAN OF THE BOARD. The board shall annually elect one of its members as chairman and one as secretary. All meetings of the board shall be held in the City Hall building unless otherwise provided by such board.

Section 19. PRINTING REGULA- after appointment and qualification of the members thereof, adopt and have printed such rules and regulations, in accordance with the provisions of this act, as it may deem proper. Said rules and regulations and all amendments thereafter adopted shall be kept on file in the office of the city clerk and open for public inspection. No amendment thereto shall become effective until notice of its adoption has been given for 30 days by posting a copy of the same in the vestibule of the City Hall building.

Section 20. **CONSTITUTIONALITY.** Each section of this act and each part of each section are hereby declared to be independent sections and parts of sections, and if any section, sentence, clause or provision of this act shall be held or declared to be unconstitutional or void, it shall not affect or destroy the validity or constitutionality of any other section, sentence, clause or provision of this act which is not of itself void or unconstitutional.

Section 21. If this act or its enforcement by the board shall be called into question in any judicial proceedings, or if any person shall fail or refuse to comply with the lawful orders of said board, such board with the approval of the city governing body may employ counsel to represent it in sustaining this act of the enforcement thereof, and the compensation of such counsel shall be paid by the city.

Section 22. **EFFECTIVE DATE.** This act shall take effect immediately upon its approval by the Governor, or upon its otherwise becoming a law.

Section 23. **INCONSISTENT LAWS REPEALED.** All laws and parts of laws inconsistent herewith are hereby repealed.

A. J. McDANAL, JR.,

Representative Place No. 2 Walker County.

6-8-50-4tc

AFFIDAVIT

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared W. I. Dove, Mgr. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice of Intention to Apply for Local Law who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely: June 8, June 15, June 22 and June 29, 1950.

THE UNION NEWS,

By W. I. DOVE,
Mgr.

Sworn and subscribed to before me, this 1 day of July, 1950.

MRS. ANNIE DAVIS,
Notary Public.

By Mr. McDanal:

H. 21. To amend Section 3 and Section 5 of an Act entitled, "An Act to provide for tenure of employment of teachers in the Public Schools." The Act to be amended having been approved September 21, 1939; said Act to be amended shall remain as it is now except that part thereof restricting the transfer of instructors, teachers, principals, or supervisors, at any time upon the recommendation of the superintendent.
Education.

By Mr. Adams (Jefferson):

H. 22. To reapportion the membership of the House of Representatives among the several counties of the State.

Constitution and Elections.

By Mr. Adams (Jefferson):

H. 23. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Constitution and Elections.

By Messrs. Adams (Jefferson) and Meeks:

H. 24. To amend Section 2 of Title 51, Code of Alabama (1940), as amended, which relates to persons and property exempt from ad valorem taxation.

Ways and Means.

By Mr. Martin:

H. 25. To amend Section 86 of Title 8, Code of Alabama (1940), which relates to hunting at nighttime.

Judiciary.

By Messrs. Beck and Martin:

H. 26. To amend sections 1, 2 and 5 of Act No. 317, approved December 9, 1859, entitled "An Act To Incorporate the Grand Lodge of Free and Accepted Masons of the State of Alabama and the subordinate Lodges under its jurisdiction," as amended.

Business and Labor.

By Messrs. Callahan and Shelton:

H. 27. To make a special appropriation to the State Building Commission for the purpose of constructing and equipping new buildings at Bryce Hospital at Tuscaloosa.

Ways and Means.

By Mr. Weaver:

H. 28. To propose and provide for the submission of an amendment to the constitution of Alabama, to empower and authorize each municipality in Winston County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Winston County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above and foregoing bill, H. 28, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Ingalls:

H. 29. To Amend Code 1940, Title 62, Section 349.

Ways and Means.

By Mr. McDanal:

H. 30. To propose an amendment to the Constitution of Alabama relative to compensation payments to veterans of World War I and World War II; ordering an election upon the proposed amendment to be held on the date of the general election next succeeding the final adjournment of the present session of the Legislature.

The above and foregoing bill, H. 30, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Haynes (Franklin):

H. 31. Proposing an amendment to the Constitution of Alabama relative to Franklin County.

The above and foregoing bill, H. 31, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Merrill:

H. 32. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one senator from each county; providing for reapportionment of the Legislature; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

The above and foregoing bill, H. 32, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Messrs. Dumas, Beatty, Gibson, Adams (Jefferson), Sadler, Meeks, and Kaul:

H. 33. To propose an amendment to the Constitution providing for the apportionment of membership in the Legislature by a Board of Apportionment when the Legislature fails to make an apportionment, ordering a special election on the proposed amendment, and providing for the payment of expenses of holding the election.

The above and foregoing bill, H. 33, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Pinkston:

H. 34. To amend Act No. 528, H. 992, approved September 2, 1949, entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof."

Local Legislation.

By Mr. Benford:

H. 35. To make an additional appropriation for regional education for the fiscal year ending September 30, 1950.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Brown:

H. J. R. 7. BE IT RESOLVED by the House, the Senate concurring, that when the House and the Senate adjourn today they adjourn to meet again on Thursday, July 6, 1950, and when they adjourn on Thursday, July 6th, 1950, they adjourn to meet again on Friday, July 7, 1950.

And said resolution H. J. R. 7 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Givhan:

H. J. R. 8. WHEREAS, the members of the Legislature are of the opinion that there is at the present time no emergency existing in the State warranting a special session of the Legislature, and

WHEREAS, the Legislature convened in special session on June 19, 1950 upon the call of the Governor and considered the matters included in the Governor's call and determined that no legislative action was necessary, and

WHEREAS, such sessions are expensive and constitute an extravagant waste of public funds, now therefore

Be it resolved by the House, the Senate concurring, That when the two Houses adjourn today, they adjourn sine die.

And said resolution H. J. R. 8 was read and referred to the Standing Committee on Rules.

RECESS

On motion of Mr. Roberts the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock having arrived, the House reconvened.

REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report, with substitute.

By Mr. Brown (with substitute):

H. J. R. 7. BE IT RESOLVED by the House, the Senate concurring, that when the House and Senate adjourn today they adjourn to meet again on Thursday, July 6, 1950, and when they adjourn on Thursday, July 6, 1950, they adjourn to meet again on Friday, July 7, 1950.

Said substitute being in words and figures as follows:

BE IT RESOLVED by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Friday, July 7, 1950, and that when the two houses adjourn Friday, July 7, 1950 they adjourn to meet again on Monday, July 10, 1950, at ten o'clock A. M.

On motion of Mr. Brown the substitute to H. J. R. 7 was laid upon the table.

Yeas 38; Nays 32.

Yeas:

Messrs.:	Dumas	McGowin	Stone
Adams (Dale)	Faulk	Malone	Sullivan
Beatty	Ganey	Martin	Taylor (Autauga)
Broadwater	George	Molette	Taylor (Hale)
Brown	Givhan	Morring	Thagard
Bush	Harris	Norman	Thomas
Callahan	Harrison	Richardson	Wallace
Denton	Ingalls	Robinson	Ward
Dobbs (Fayette)	Larkins	Rogers	Wood (Bibb)
Duffee	McClendon	Shirley	

Nays:

Mr. Speaker	Cox	Howell	O'Neal
Benford	Dobbs (Elmore)	Knight	Pinkston
Bennett	Doughty	McDanal	Ramey
Black	Dyar	McDonald	Roberts
Brassell	Evans	Merrill	Thompson (Crenshaw)
Buckner	Gillis	Miller	Thompson (Pike)
Busby	Hankins	Mitchell	Weaver
Coburn	Haynes (Franklin)	Nelson	Wood (Washington)

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And H. J. R. 7 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 6. Relative to repealing S. J. R. 19, approved June 8, 1943, and requesting withdrawal of the name of Alabama from lists of States petitioning for world Government.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S. J. R. 10. WHEREAS, the Legislature of Alabama believes that communism and the forces of totalitarianism are the greatest menaces to democracy and peace, and

WHEREAS, the Legislature feels that the surest way to preserve freedom is to take a strong stand against aggression and threats to freedom wherever they occur and to support the United Nations, and

WHEREAS, the Legislature believes that President Truman acted wisely and in the interests of all freedom loving people of the world in ordering the military forces of the United States to assist the South Koreans in resisting the aggression and unwarranted attack by the communists of North Korea, now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. The Legislature of Alabama hereby commends President Truman for his action in supporting the South Korean Republic against the unprovoked aggression of the North Korean communists.

2. The Secretary of the Senate is directed to transmit a copy of this Resolution to President Truman.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell the rules were suspended and the House concurred in and adopted the S. J. R. 10 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Morring, Doughty and Taylor (Autauga):

H. J. R. 9. WHEREAS, the proposal in the form of a bill for sixty-seven senators for the State of Alabama, with the basic idea of one senator in each county in the State, has failed of passage repeatedly; and

WHEREAS, reapportionment of the House of Representatives has likewise failed of passage repeatedly; and

WHEREAS, any approach heretofore made to the problem of reapportioning either of the two Houses separately has failed for lack of breadth and scope in the thinking represented and the proposals relative to the two Houses; and

WHEREAS, the principal objection which has appeared on the surface to the proposal of a senator for each county has been the inequity of the over-all representation contained within the sixty-seven senators which would then comprise the Senate between the large and smaller counties; and

WHEREAS, the principal objection which has appeared on the surface relative to proposals for reapportionment of the House of Representatives upon a population basis has likewise been based upon the inequities of representation between the large and smaller counties; and

WHEREAS, the basic inequities concerning the Senate composed of sixty-seven members as proposed has to do with the expected spending which could, on this proposal alone, be controlled by the smaller and less populous counties; and

WHEREAS, it is basic that those who pay shall constitutionally have a voice in the spending of that which is paid into the state treasury; and

WHEREAS, no one person has been found competent heretofore of thinking on a broad enough scope to submit a bill which fully meets the problem of reapportionment to the best interests of good government in the State of Alabama; now therefore

Be it resolved by the House of Representatives, the Senate concurring, that a conference committee to be composed of three members from the House of Representatives of the Legislature of the State of Alabama and three members of the Senate of the Legislature of the State of Alabama, to be appointed by the Speaker of the House and the Presiding Officer of the Senate respectively, shall be appointed for the purpose of collectively working to devise an equitable reapportionment of the House of Representatives based upon the population of the several counties of this sovereign State of Alabama and the reapportionment of the Senate and that in their several judgments is deemed equitable.

Be it further resolved, that upon the passage of this Resolution the Legislature now assembled in Special Session shall be recessed for a period of ten days to afford time for the deliberation of the Committee as aforesaid.

And be it further resolved, that upon the reconvening of the Legislature this Committee shall report to the respective Houses their findings and, if possible, a bill or bills representing the collective thinking of the Committee to accomplish the two purposes as aforesaid.

And be it further resolved, that the members appointed to serve on the Committee herein provided for shall, during the time of their service, receive salary and expenses at the rate provided for regular sessions.

And said resolution H. J. R. 9 was read and referred to the Standing Committee on Rules.

ADJOURNMENT

On motion of Mr. Stone the House adjourned until Thursday, July 6, 1950, at two o'clock P. M.

SECOND DAY

House of Representatives,
Montgomery, Alabama,
Thursday, July 6, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. D. M. Rivers, Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Denton	Ingalls	Ramey
Adams (Dale)	Dobbs (Fayette)	Lovelace	Richardson
Adams (Jefferson)	Doughty	McClendon	Robinson
Barnett	Dumas	McDonald	Sellers
Beatty	Dyar	Martin	Shelton
Benford	Ganey	Mathison	Still
Brassell	Garrett	Meeks	Taylor (Hale)
Broadwater	George	Merrill	Thagard
Brown	Gibson	Morring	Thomas
Buckner	Gillis	Norman	Thompson (Crenshaw)
Busby	Hankins	Pinkston	Thompson (Pike)
Callahan	Haynes (Lowndes)	Pinson	Ward
Coburn	Hornsby	Pruitt	Weaver
Cox			

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A quorum was not present.

ADJOURNMENT

On motion of Mr. Thompson of Crenshaw the House adjourned until Friday, July 7, 1950, at ten o'clock A. M.

THIRD DAY

House of Representatives,
Montgomery, Alabama,
Friday, July 7, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Captain E. W. Herring, Salvation Army, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Duffee	McClendon	Roberts
Adams (Dale)	Dumas	McDanal	Robinson
Adams (Jefferson)	Dyar	McDonald	Rogers
Barnett	Evans	McGowin	Sellers
Beatty	Faulk	Malone	Shelton
Benford	Ganey	Martin	Shirley
Bennett	Garrett	Mason	Still
Black	George	Mathison	Stone
Brannan	Gibson	Meeks	Sullivan
Brasseil	Gillis	Merrill	Taylor (Autauga)
Broadwater	Givhan	Miller	Taylor (Hale)
Brown	Hankins	Mitchell	Thagard
Buckner	Harris	Molette	Thomas
Busby	Harrison	Morring	Thompson (Crenshaw)
Bush	Haynes (Lowndes)	Nelson	Thompson (Pike)
Callahan	Head	Nettles	Tucker
Coburn	Hornsby	Norman	Vann
Cole	Ingalls	O'Neal	Ward
Cox	Inzer	Pinkston	Weaver
Crocker	Kaul	Pinson	Whitcomb
Denton	Knight	Pruitt	White (Perry)
Dobbs (Fayette)	Larkins	Ramey	Wood (Bibb)
Doughty	Lovelace	Richardson	Wood (Washington)

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the First Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the First Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the First Legislative Day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Second Legislative day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the Second Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Second Legislative Day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 6. To repeal Senate Joint Resolution No. 19 of the General Acts of Alabama 1943.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Merrill, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Messrs. Sellers, Thagard and Inzer:

H. 1. To provide legal counsel for the Chief Examiner and the Department of Examiners of Public Accounts and to provide salary for counsel.

By Mr. Miller:

H. 10. To amend Section 298 of Title 52 of the Code of Alabama (1940), which relates to the minimum age at which children may attend school.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report with substitute:

By Mr. Roberts (with substitute):

H. 11. Proposing an Amendment to the Constitution of Alabama.

The above and foregoing bill, H. 11, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. Benford:

H. 8. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

By Mr. Miller:

H. 9. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

By Mr. Givhan:

H. 16. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

The above and foregoing bill, H. 16, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House without recommendation:

By Mr. Thompson (Crenshaw) (without recommendation):

H. 6. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

By Mr. Thompson (Crenshaw) (without recommendation):

H. 19. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one Senator from each county; ordering an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next General Election in November 1950.

By Mr. Merrill (without recommendation):

H. 32. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one senator from each county; providing for reapportionment of the Legislature; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

By Messrs. Dumas, Kaul, Beatty, Gibson, Meeks, Sadler, Adams (Jefferson) (without recommendation):

H. 12. To propose an amendment to the Constitution providing for the number of representatives and the apportionment of representatives in the House of Representatives of Alabama among the several counties.

By Messrs. Dumas, Beatty, Gibson, Adams (Jefferson), Meeks, Kaul, Sadler (without recommendation):

H. 33. To propose an amendment to the Constitution providing for the apportionment of membership in the Legislature by a Board of Apportionment when the Legislature fails to make an apportionment, ordering a special election on the proposed amendment, and providing for the payment of expenses of holding the election.

The above and foregoing bills, H. 19, H. 32, H. 12, and H. 33, each proposing an amendment to the Constitution, were severally read a second time at length and placed on the Calendar.

By Mr. Adams (Jefferson) (without recommendation):

H. 22. To reapportion the membership of the House of Representatives among the several counties of the State.

By Mr. Weaver (without recommendation):

H. 28. To propose and provide for the submission of an amendment to the constitution of Alabama, to empower and authorize each municipality in Winston County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Winston County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and

other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

By Mr. Haynes (Franklin) (without recommendation):

H. 31. Proposing an amendment to the Constitution of Alabama relative to Franklin County.

The above and foregoing bills, H. 28, and H. 31, each proposing an amendment to the Constitution, were severally read a second time at length and placed on the Calendar.

By Messrs. Adams (Jefferson), Dumas, Kaul, Beatty, Gibson, Meeks, Sadler (without recommendation):

H. 13. To reapportion the Membership of the House of Representatives among the several Counties of the State, as required by Sections 198 and 199 of the Constitution, according to the population as shown by the decennial census of the United States for the year 1950.

By Mr. Adams (Jefferson) (without recommendation):

H. 23. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Mr. Pinkston, Chairman of the Standing Committee on Business and Labor reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Messrs. Beck and Martin:

H. 26. To amend sections 1, 2 and 5 of Act No. 317, approved December 9, 1859, entitled "An Act To Incorporate the Grand Lodge of Free and Accepted Masons of the State of Alabama and the subordinate Lodges under its jurisdiction," as amended.

Mr. Thomas, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. Callahan:

H. 14. To repeal Act number 424 of the Local Acts of Alabama of 1947, page 281, approved September 25, 1947, entitled an Act levying in Tuscaloosa County, Alabama, additional special privilege or license taxes and excise taxes, etc.

By Mr. McDanal:

H. 20. To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violation.

By Mr. Pinkston:

H. 34. To amend Act No. 528, H. 992, approved September 2, 1949, entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof."

The above and foregoing Bills, H. 1, H. 10, H. 8, H. 9, H. 6, H. 22, H. 13, H. 23, H. 26, H. 14, H. 20 and H. 34, were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Buckner (with notice and proof):

H. 36. To define, regulate and license barbers and barber colleges, and other like businesses in Cullman County, Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Local Legislation.

Notice and Proof H. B. 36:

LEGAL NOTICE

Notice is hereby given that a local bill will be introduced at the next session of the Legislature which said bill is in words and figures as follows:

A BILL TO BE ENTITLED AN ACT

To define, regulate and licence barbers and barber colleges, and other like businesses in Cullman County, Ala.; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. That after the passage of his Act it shall be unlawful for any person, co-partnership, association or corporation to act as a barber, operate a barber college, barber shop or other like business, to advertise or assume to act as such without a license issued by the Barber's Commission of Cullman County, Alabama. No co-partnership, association or corporation shall be granted a license, unless every member or officer of said co-partnership, association or corporation, who actively engages in the barber business, barber college or like business of such co-partnership, association or corporation, shall hold a license as a barber as hereinafter provided for.

Section 2. A barber, barber shop, barber college, or other like business within the meaning of this Act is any person, firm, partnership, co-partnership, association or corporation, who, for a valuable consideration or hire, shaves or trims the beard; gives facial or scalp massages, or treats the same with oils or other preparations, singes, shampoos, cuts or dyes, the hair of a human being or applies hair tonic or other cosmetic preparations, clays or lotions to the scalp, neck, or face, or engages in the teaching of any person or persons in the art of barbering as in this paragraph defined. Provided, however, the provisions of this Act shall not apply to (1) persons engaged in the practice of medicine, surgery or beauty culture, (2) persons actively engaged in the military service of the United States Government while acting in line of duty, (3) registered nurses in the course of their employment as such, (4) persons who render any of said services to members of their immediate families.

Section 3. There is hereby created a Barber's Commission for Cullman County, Alabama. The Governor shall appoint three (3) persons, each of whom immediate- prior to the date of his appointment has been a resident of Cullman County for three (3) years, and who has had at least five years' experience as a barber, one member to be appointed

for a term of one year, one member to be appointed for a term of two years, and one member to be appointed for a term of three years, and until their successors are appointed and qualify, thereafter the term of the members of said Commission shall be for three years, and until their successors are appointed and qualify. Members to fill vacancies shall be appointed and vacancies caused by expiration of the term shall be appointed from time to time as required. The Commission immediately upon the qualification of the member appointed each year, shall organize by selecting from its members a Chairman, and may do all things necessary or convenient for carrying into effect the provisions of this Act. Each member of the Commission shall receive as full compensation for each day actually spent in the work of said Commission his actual and necessary expenses thereby incurred. The Commission shall appoint and at its pleasure discharge, a secretary-treasurer and such assistants as may be deemed necessary to discharge the duties imposed by the provisions of this Act; the treasurer so appointed shall be required to enter into a bond to be approved by the Commission in the sum of not less than Five hundred (\$500.00) Dollars, conditioned to pay any shortage or loss of funds on hand by said Treasurer during his term of office or at the time he is holding office. Said Commission shall outline the duties and fix the compensation of the Treasurer. The Commission shall obtain such office space furnishings, and other proper conveniences as shall be reasonably necessary for carrying out of the provisions of this Act. The Commission shall adopt a seal with such design as it may prescribe engraved thereon, by which it shall authenticate its proceedings. Copies of all records and papers in the office of the Commission duly certified and authenticated by its seal shall be received in evidence in all courts with like effect as the original. All records kept in the office of the Commission under authority of this Act shall be open to public inspection under such rules and regulations as shall be prescribed by the Commission. All fees and charges collected by the Commission under the provisions of this Act, shall be paid into the Treasury of the Commission; said funds shall be used and kept exclusively in the hands of the Treasurer of this Commission, and shall be used under the direction of the Commission, not inconsistent with this Act. Funds may be disbursed by an order of the Commission on a check being drawn by the Treasurer against such funds, as may be on hand, and approved by the Chairman of the Board for the purpose of paying all expenses incurred by the Commission, including the compensation of members and their employees and their assistants and the Treasurer, provided the total expenses for every purpose incurred shall not exceed the total fees and charges collected and paid into the Treasury of this Commission, and all monies remaining in said separate fund at the end of the fiscal year not expended as herein provided, shall become a part of the funds of said Commission and shall be retained by the said Commission, and may be deposited in any bank on Savings Account or otherwise.

Section 4. Licenses shall be granted only to persons of good moral character, who have an elementary school education, or its equivalent in the judgment of the Commission, and shall be at least 18 years of age, and a resident of the State of Alabama for a period of one year immediately prior to his application, and have practiced as an apprentice for a period of at least one year and pass a satisfactory examination conducted by the Commission. Provided, however, any person or persons engaged in the occupation of barbering for a period of less than one year may be licensed as an apprentice barber provided he is 17 years of age, and has an elementary school education or its equivalent in the judgment of the Commission, upon successful passing said Commission's examination for licensing a barber, as herein set forth.

Section 5. Whenever the masculine gender is used in this Act it is to include the feminine gender. Every applicant for a barber's license, apprentice-barber's license, or for a license to operate a barber shop or barber's college, or other like business shall apply therefor in writing on

blanks prepared or furnished by said Barber's Commission. It shall be accompanied by the recommendation of at least two barbers doing business in the County where said application is made, not related to applicant, certifying that the applicant is of good reputation, is qualified to practice the trade of barbering and recommending that a license be granted. Said application shall be accompanied by the application fee of \$10.00 and a reputable doctor's certificate certifying that said applicant has no communicable or contagious or infectious disease. The Commission shall have authority to call before it and require any barber to have an examination by a reputable doctor to ascertain whether or not he has a communicable, contagious or infectious disease, the Commission shall have authority to revoke his license forthwith. The Commission, after applications in proper form have been filed, shall set the application down for a hearing (before refusing to issue a license) and determination as hereinafter provided in this Act. The Commission shall issue a license in such form as it may prescribe, which shall show the name and address of the licensee and the barber shop or college in which he is employed. The seal of the Commission shall be imprinted on the license, and such other additional matter placed thereon as the Commission may designate, It shall be the duty of each person, co-partnership, association or corporation to conspicuously display his license in his place of business. The Commission shall issue to each licensee a pocket card, on which shall be an imprint of the seal of the Commission certifying that the person whose name appears thereon is a licensed barber or operator of one of the businesses herein named as the case may be. The original fee for each barber's license shall be \$7.50 and the annual renewal fee shall be \$7.50. Each barber shop, barber college or other like business shall pay to the Commission an annual license of \$10.00 per shop or college. The original fee for each person, co-partnership, association or corporation, who operate a barber college shall be \$100.00, in addition to the annual license herein provided. Every license shall expire on the 31st day of December of each year. The Commission shall issue a new license for the ensuing year in the absence of any reason or condition that might warrant the refusal of granting of the license upon the receipt of the written request of the applicant accompanied by the annual fee therefor, as herein required, and accompanied, also, by a certificate of a reputable physician asserting that the applicant then has no contagious, communicable or infectious disease. The Commission may upon its own motion, and shall upon the verified complaint in writing of any three persons making out a prima facie case, investigate the actions of any person hereby affected, and shall have the power to suspend or to revoke any license issued under the provisions of this Act at any time where the licensee has fraudulently obtained the license, or where the licensee in performing or attempting to perform any of the acts mentioned herein is deemed to be guilty of (a) the violation of any state, county or city statute or ordinance pertaining to the operation of the business hereby affected, (b) the violation of any rule or regulation established by the Commission, (c) or who has failed upon request of the Secretary-Treasurer to give evidence and/or proof of the compliance with the same. The Commission shall, before denying an application for license, or before suspending or revoking any license, set the matter down for a hearing, and at least ten days prior to the date set for the hearing, notify the applicant or licensee in writing, which notice shall contain an exact statement of the charges made, and the date and place of hearing. The applicant or licensee at all hearings, shall have the opportunity to be heard in person or by counsel or both. Such notice may be served by delivery of the same personally to the applicant or licensee, or by mailing the same by registered mail to the last known business of such applicant or licensee. In preparation and conduct of hearings, the Commission shall have power to require by subpoena the appearance and testimony of witnesses and the production of papers, and any member of the commission may sign subpoenas, admin-

ister oaths, and examine witnesses. The fees and mileage shall be the same as prescribed by law in judicial procedure in the Courts of this State in civil cases. Any party to a hearing shall have the right to the attendance of witnesses in his behalf. In case of disobedience to a subpoena, any member of the Commission may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers, and such court may issue an order requiring the persons to appear before the Commission, and give evidence or produce papers as the case may be, and any failure to obey such order of the Court may be punished by the Court as a contempt thereof. Any person so refusing to appear and give testimony required by such Commission shall be guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction, as provided by the provisions of this Act. If the Commission should determine that any applicant is not qualified to receive a license, or that any license is guilty of a violation of any of the provisions of this Act, a licensee shall not be granted, or the same suspended or revoked as the case may require. Upon request of the applicant or licensee in writing, the Commission shall furnish said party with a definite statement of its findings of facts and its reason or reasons for refusing to grant the license or for its suspension or revocation of same. The findings of the Commission may be appealed to the Circuit Court of the county in which the principal office of the Commission may be located, provided an appeal is taken within 10 days after such final determination of the Commission. Any person desiring to appear under this section shall file with the Commission or some member thereof, a notice in writing that he appeals to the Circuit Court with at least one solvent surety payable to the county in which the principal office of the Commission may be located, conditioned to prosecute such appeal to affect, and upon failure to do so, to pay all costs and damages which may be taxed against him by the Circuit Court on such appeal. Such bond to be approved by the Circuit Clerk of said county, and any cause so appealed shall be tried *de novo* in said Circuit Court. The Commission shall at least every three months hold an examination for the purpose of determining the qualifications of any applicants to become barbers or barber-apprentices, and shall conduct said examinations in accordance with the provisions hereof and in accordance with the rules and regulations promulgated by said Commission not inconsistent with this Act. Said examination to be conducted in the city, town, or village where the principal office of the Commission is located.

Section 6. Any person violating the provisions of this Act shall upon conviction be punished by a fine of not more than five hundred dollars, or by imprisonment for a term not to exceed six months, or by both fine and imprisonment in the discretion of the Court. No person, firm, partnership or corporation shall be deemed to have violated this Act by failure to obtain the license required, prior to January 1, 1951. This provision shall have application to any officer or agent of a corporation, co-partnership, or association operated in violation of this Act. Any court of competent jurisdiction in any of said counties shall have full power to try any violation of this Act, and upon conviction the court may at its discretion revoke the license of the person, co-partnership, association or corporation violating the terms hereof. Before the Commission herein provided for shall receive a commission and enter upon the discharge of their duties each shall take and subscribe the oath provided by law to be taken by elective officers of the State of Alabama.

Section 7. If any section, sub-section, sentence, clause, phrase or requirement of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The Legislature hereby declares that it would have passed this Act and each section, sub-section, sentence, clause, phrase and requirements thereof, irrespective of the fact that any one or more sections,

sub-sections, sentences, clauses, phrases or requirements be declared unconstitutional.

Section 8. All laws, or parts of laws, in conflict with this Act be, and the same are hereby repealed.

Section 9. Nothing in this Act contained shall affect the power of the State, County or municipality to tax, license and regulate persons, co-partnerships, associations or corporations, operating barber shops, barber colleges, or other like businesses. The requirements hereof shall be in addition to the requirement of any existing or future law or ordinance of any state, county or municipality so taxing, licensing or regulating persons, co-partnerships, associations or corporations operating barber shops, barber colleges, or other like businesses.

Section 10. This act shall take effect immediately upon its passage and approval by the Governor.

June 8-15-22-29c

**THE STATE OF ALABAMA
CULLMAN COUNTY**

Before me, Fred E. James, a Notary Public, State of Alabama at Large, in and for said County and State, personally appeared J. R. Rosson, publisher of The Cullman Democrat, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says, that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of the said newspaper of the following dates, viz. June 8, 15, 22, 29, 1950.

J. R. ROSSON,
Publisher.

Sworn to and subscribed before me this the 3 day of July, 1950.

FRED E. JAMES,
Notary Public.

By Mr. Beatty:

H. 37. To amend Section 605 of Title 51 of the Code of Alabama, 1940, as amended by Act No. 133, H. B. 209, General Acts of Alabama, 1947, p. 42, approved July 18, 1947, entitled, "An Act To amend Section 605 of Title 51 of the 1940 Code, which relates to licenses on businesses, vocations, and occupations," providing for a license for engaging in the business of dealing in tractors, road machinery, or trailers.

Ways and Means.

By Mr. Shelton:

H. 38. To prohibit boards of registrars from registering persons as qualified electors within ten days prior to any primary, special or general election; and providing that meetings of the boards of registrars authorized to be held on days falling within such period may be held on another day not within such period.

Constitution and Elections.

RESOLUTION

The following resolution was introduced:

By Mr. Merrill:

H. J. R. 10. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That when the two houses adjourn today they adjourn to meet again on Monday, July 10, 1950, at ten o'clock A. M.

The motion of Mr. Merrill to suspend the rules in order that the resolution, H. J. R. 10, might be taken up for immediate consideration, was lost.

Yeas 55; Nays 28.

Yeas:

Mr. Speaker	Crocker	Larkins	Roberts
Adams (Jefferson)	Denton	Lovelace	Shelton
Barnett	Dobbs (Fayette)	McDanal	Shirley
Benford	Doughty	McDonald	Still
Black	Dyar	Martin	Taylor (Autauga)
Brannan	Evans	Mathison	Thompson (Pike)
Brassell	Ganey	Merrill	Vann
Broadwater	Garrett	Miller	Ward
Buckner	George	Mitchell	Weaver
Busby	Gillis	Nelson	Whitcomb
Bush	Hankins	Nettles	White (Perry)
Coburn	Haynes (Franklin)	O'Neal	Wood (Bibb)
Cole	Head	Finkston	Wood (Washington)
Cox	Knight	Ramey	—55

Nays:

Messrs.:	Harris	Malone	Robinson
Beatty	Harrison	Mason	Rogers
Brown	Haynes (Lowndes)	Molette	Stone
Callahan	Ingalls	Norman	Sullivan
Dumas	Kaul	Pinson	Taylor (Hale)
Faulk	McClendon	Pruitt	Thagard
Gibson	McGowin	Richardson	Tucker
Givhan			—28

PAIR ANNOUNCED

Mr. Thomas announced that he was paired with Mr. Wallace. If Mr. Wallace were present he would vote "Yea" and Mr. Thomas would vote "Nay."

H. J. R. 10 was read and referred to the Standing Committee on Rules.

RECESS

On motion of Mr. Merrill the House recessed for fifteen minutes.

Yeas 54; Nays 26.

Yeas:

Mr. Speaker	Denton	Knight	Pinkston
Adams (Jefferson)	Dobbs (Fayette)	Larkins	Ramey
Barnett	Doughty	Lovelace	Roberts
Benford	Dumas	McDanal	Shelton
Black	Dyar	McDonald	Shirley
Brassell	Evans	Martin	Still
Broadwater	Ganey	Mathison	Taylor (Autauga)
Buckner	Garrett	Merrill	Thompson (Pike)
Busby	George	Miller	Ward
Callahan	Gillis	Mitchell	Weaver
Coburn	Hankins	Nelson	Whitcomb
Cole	Harris	Nettles	Wood (Bibb)
Cox	Haynes (Franklin)	O'Neal	Wood (Washington)
Crocker	Head		—54

Nays:

Messrs.:	Haynes (Lowndes)	Meeks	Rogers
Beatty	Ingalls	Molette	Stone
Brown	Kaul	Norman	Sullivan
Faulk	McClendon	Pinson	Taylor (Hale)
Gibson	McGowin	Pruitt	Thagard
Givhan	Malone	Richardson	Tucker
Harrison	Mason	Robinson	

—26

The House reconvened and the Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clayton:

S. J. R. 11. Resolved by the Senate, the House concurring, that the Legislature do now adjourn sine die.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 11 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MOTION TO RECESS LOST

The motion of Mr. Givhan to recess for twenty minutes in order that the Standing Committee on Rules might consider the resolution, S. J. R. 11, was lost.

Yeas 31; Nays 55.

Yeas:

Messrs.:	Harrison	Martin	Richardson
Adams (Jefferson)	Haynes (Lowndes)	Mason	Robinson
Beatty	Hornsby	Meeks	Stone
Brown	Ingalls	Molette	Sullivan
Dumas	Kaul	Nettles	Taylor (Hale)
Faulk	McClendon	Norman	Thagard
Gibson	McGowin	Pinson	Tucker
Givhan	Malone	Pruitt	White (Perry)

—31

Nays:

Mr. Speaker	Denton	Knight	Rogers
Barnett	Dobbs (Fayette)	Larkins	Sellers
Benford	Doughty	Lovelace	Shelton
Black	Duffee	McDanal	Shirley
Brassell	Dyar	McDonald	Still
Broadwater	Evans	Mathison	Taylor (Autauga)
Buckner	Ganey	Merrill	Thompson (Crenshaw)
Busby	Garrett	Miller	Thompson (Pike)
Bush	George	Mitchell	Ward
Callahan	Gillis	Nelson	Weaver
Coburn	Hankins	O'Neal	Whitcomb
Cole	Harris	Pinkston	Wood (Bibb)
Cox	Haynes (Franklin)	Ramey	Wood (Washington)
Crocker	Head	Roberts	

—55

REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

By Mr. Merrill:

H. J. R. 10. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That when the two houses adjourn today they adjourn to meet again on Monday, July 10, 1950, at ten o'clock A. M.

Mr. McGowin offered the following substitute for the resolution, H. J. R. 10:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses adjourn today they adjourn sine die.

On motion of Mr. Merrill, the substitute for H. J. R. 10 offered by Mr. McGowin, was laid upon the table.

Yeas 54; Nays 34.

Yeas:

Mr. Speaker	Crocker	Larkins	Roberts
Adams (Jefferson)	Denton	Lovelace	Sellers
Barnett	Dobbs (Fayette)	McDanal	Shelton
Benford	Doughty	McDonald	Shirley
Black	Dyar	Mathison	Still
Brassell	Evans	Merrill	Taylor (Autauga)
Broadwater	Garrett	Miller	Thompson (Crenshaw)
Buckner	George	Mitchell	Thompson (Pike)
Busby	Gillis	Nelson	Ward
Bush	Hankins	Nettles	Weaver
Callahan	Haynes (Franklin)	O'Neal	Whitcomb
Coburn	Head	Pinkston	Wood (Bibb)
Cole	Inzer	Ramey	Wood (Washington)
Cox	Knight		

—54

Nays:

Messrs.:	Givhan	Malone	Robinson
Beatty	Harris	Martin	Rogers
Brannan	Harrison	Mason	Stone
Brown	Haynes (Lowndes)	Meeks	Sullivan
Duffee	Hornsby	Molette	Taylor (Hale)
Dumas	Ingalls	Norman	Thagard
Faulk	Kaul	Pinson	Tucker
Ganey	McClendon	Pruitt	White (Perry)
Gibson	McGowin	Richardson	

—34

PAIR ANNOUNCED

Mr. Thomas announced that he was paired with Mr. Wallace. If Mr. Wallace were present he would vote "Yea" and Mr. Thomas would vote "Nay."

Mr. Givhan offered the following substitute for the resolution, H. J. R. 10:

Be it Resolved by the House, the Senate concurring, That when the two Houses adjourn today they adjourn to meet again on Tuesday, September 5, 1950, at twelve o'clock noon; and Be it further resolved that no

member of the Legislature or any officer or employee of either House or committee thereof, except the Secretary of the Senate and the Clerk of the House, shall be entitled to receive any compensation during the recess.

On motion of Mr. Merrill, the substitute for H. J. R. 10 offered by Mr. Givhan, was laid upon the table.

Yeas 56; Nays 31.

Yeas:

Mr. Speaker	Denton	Larkins	Rogers
Barnett	Dobbs (Fayette)	Lovelace	Sellers
Benford	Doughty	McDanal	Shelton
Black	Dyar	McDonald	Shirley
Brassell	Evans	Mathison	Still
Broadwater	Ganey	Merrill	Taylor (Autauga)
Buckner	Garrett	Miller	Thomas
Busby	George	Mitchell	Thompson (Crenshaw)
Bush	Gillis	Nelson	Thompson (Pike)
Callahan	Hankins	Nettles	Ward
Coburn	Haynes (Franklin)	O'Neal	Weaver
Cole	Head	Pinkston	Whitcomb
Cox	Inzer	Ramey	Wood (Bibb)
Crocker	Knight	Roberts	Wood (Washington)

—56

Nays:

Messrs.:	Gibson	Malone	Richardson
Adams (Jefferson)	Givhan	Martin	Robinson
Beatty	Harris	Mason	Stone
Brannan	Harrison	Meeks	Sullivan
Brown	Haynes (Lowndes)	Molette	Taylor (Hale)
Duffee	Ingalls	Norman	Thagard
Dumas	Kaul	Pinson	Tucker
Faulk	McGowin	Pruitt	White (Perry)

—31

Mr. Givhan offered the following substitute for the resolution, H. J. R. 10:

WHEREAS, the members of the Legislature are of the opinion that there is at the present time no emergency existing in the State warranting a special session of the Legislature, and

WHEREAS, the Legislature convened in special session on June 19, 1950 upon the call of the Governor and considered the matters included in the Governor's call and determined that no legislative action was necessary, and

WHEREAS, such sessions are expensive and constitute an extravagant waste of public funds, now therefore

Be it resolved by the House, the Senate concurring, That when the two Houses adjourn today, they adjourn sine die.

POINT OF ORDER

The point of order raised by Mr. Merrill that the substitute offered by Mr. Givhan was not germane to the resolution, H. J. R. 10, was sustained by the Chair.

Mr. Givhan offered the following substitute for the resolution, H. J. R. 10:

Be it resolved by the House, the Senate concurring, That when the two Houses adjourn today, they adjourn sine die.

On motion of Mr. Merrill, the substitute for H. J. R. 10 offered by Mr. Givhan, was laid upon the table.

Yeas 54; Nays 29.

Yeas:

Mr. Speaker	Crocker	Larkins	Sellers
Adams (Jefferson)	Denton	Lovelace	Shelton
Barnett	Dobbs (Fayette)	McDanal	Shirley
Benford	Doughty	Mathison	Still
Black	Dyar	Merrill	Taylor (Autauga)
Brassell	Evans	Miller	Thompson (Crenshaw)
Broadwater	Garrett	Mitchell	Thompson (Pike)
Buckner	George	Nelson	Ward
Busby	Gillis	Nettles	Weaver
Bush	Hankins	O'Neal	Whitcomb
Callahan	Haynes (Franklin)	Pinkston	White (Perry)
Coburn	Head	Ramey	Wood (Bibb)
Cole	Inzer	Roberts	Wood (Washington)
Cox	Knight		

—54

Nays:

Messrs.:	Gibson	McGowin	Robinson
Beatty	Givhan	Martin	Rogers
Brannan	Harris	Molette	Stone
Brown	Harrison	Norman	Sullivan
Duffee	Haynes (Lowndes)	Pinson	Taylor (Hale)
Dumas	Hornsby	Pruitt	Thagard
Faulk	Kaul	Richardson	Tucker
Ganey	McClendon		

—29

Mr. Inzer offered the following amendment to the resolution, H. J. R. 10:

Amend House Joint Resolution No. 10 by substituting therefor the words Tuesday July 11 for the words Monday July 10.

And the amendment was adopted.

Yeas 56; Nays 29.

Yeas:

Mr. Speaker	Denton	Ingalls	Pinson
Barnett	Dobbs (Fayette)	Inzer	Pruitt
Black	Doughty	Knight	Ramey
Brannan	Dyar	McDanal	Richardson
Brassell	Evans	McDonald	Roberts
Broadwater	Faulk	Mathison	Shelton
Brown	Garrett	Meeks	Still
Buckner	George	Mitchell	Taylor (Autauga)
Busby	Gillis	Molette	Thomas
Bush	Hankins	Nelson	Thompson (Crenshaw)
Coburn	Harris	Nettles	Weaver
Cole	Haynes (Franklin)	Norman	Whitcomb
Cox	Head	O'Neal	Wood (Bibb)
Crocker	Hornsby	Pinkston	Wood (Washington)

—56

Nays:

Messrs.:	Givhan	Malone	Sellers
Adams (Jefferson)	Harrison	Martin	Shirley
Beatty	Haynes (Lowndes)	Mason	Stone
Benford	Kaul	Merrill	Sullivan
Duffee	Larkins	Miller	Thagard
Dumas	Lovelace	Robinson	Thompson (Pike)
Ganey	McClendon	Rogers	Ward
Gibson	McGowin		

—29

Mr. Gibson offered the following substitute for the resolution, H. J. R. 10, as amended:

Be it Resolved by the House, the Senate concurring, That when the two houses adjourn today they adjourn to meet July 8, 1950 at 9:00 A. M.

On motion of Mr. Wood of Bibb, the substitute for the resolution, H. J. R. 10, as amended, was laid upon the table.

Yeas 53; Nays 30.

Yeas:

Mr. Speaker	Dobbs (Fayette)	McDonald	Richardson
Barnett	Doughty	Martin	Roberts
Benford	Dyar	Mathison	Shelton
Black	Evans	Merrill	Still
Brannan	Garrett	Miller	Taylor (Autauga)
Brassell	George	Mitchell	Taylor (Hale)
Broadwater	Gillis	Molette	Thomas
Buckner	Hankins	Nelson	Thompson (Crenshaw)
Busby	Haynes (Franklin)	Nettles	Ward
Bush	Inzer	O'Neal	Weaver
Coburn	Knight	Pinkston	Whitcomb
Cole	Larkins	Pinson	Wood (Bibb)
Crocker	McDanal	Ramey	Wood (Washington)
Denton			

—53

Nays:

Messrs.:	Gibson	Kaul	Rogers
Adams (Jefferson)	Givhan	McClendon	Sellers
Beatty	Harris	McGowin	Shirley
Brown	Harrison	Malone	Stone
Callahan	Haynes (Lowndes)	Mason	Sullivan
Duffee	Head	Norman	Thagard
Dumas	Hornsby	Pruitt	Thompson (Pike)
Ganey	Ingalls	Robinson	

—30

And the resolution, H. J. R. 10, as amended, was adopted.

RESOLUTION

The following resolutions were introduced:

By Messrs. Adams (Jefferson), Beatty, Dumas, Gibson, Kaul, Meeks, Sadler, Callahan and Shelton:

H. J. R. 11. WHEREAS, the State of Alabama has lost an able servant in the passing of Dr. Roy R. Kracke, and

WHEREAS, his services as Dean of the Medical College of Alabama have greatly contributed to the organization, establishment and growth of the Medical College, and

WHEREAS, he has worked tirelessly in advancing research and training in the medical field in order to help alleviate suffering in Alabama and bring to our state the advantages of modern medical practice,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The passing of Dr. Roy R. Kracke is deeply mourned by this body and his memory is revered.

2. The people of Alabama, through their legislative representatives, hereby express their deep appreciation for the services of Dr. Roy R. Kracke.

3. The sympathy of the people of Alabama, through their legislative representatives, is hereby extended to the family of the deceased.

4. The Clerk of the House of Representatives is directed to forward to the family of Dr. Roy R. Kracke a copy of this resolution.

On motion of Mr. Meeks the rules were suspended and H. J. R. 11 was adopted.

Also:

By Mr. Merrill:

H. J. R. 12. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. That the Acts, Resolutions and Journals of the last Special Session and this Special Session of the Legislature be printed and bound in the same volumes as the next Session of the Legislature.

On motion of Mr. Merrill the rules were suspended and H. J. R. 12 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Joint Resolution, your signature hereto is requested:

S. J. R. 10: Relative to, Commending President Truman for his action in supporting the South Korean Republic.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Mize:

S. 33. Relating to Tuscaloosa County: To authorize the employment of a stenographic secretary by the Judge of the Inferior Court of Tuscaloosa County, and authorizing the payment of the salary of such stenographic secretary out of the Treasury of Tuscaloosa County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that at the next session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County: To authorize the employment of a stenographic secretary by the Judge of the Inferior Court of Tuscaloosa

County, and authorizing the payment of the salary of such stenographic secretary out of the Treasury of Tuscaloosa County.

Be It Enacted by the Legislature of Alabama:

Section One: The Judge of the Inferior Court of Tuscaloosa County, Alabama may employ a stenographic secretary, whose salary shall be fixed by him at an amount not to exceed \$1500.00 per annum, to be paid in equal monthly installments out of the Treasury of Tuscaloosa County.

Section Two: This Act shall become effective immediately upon its passage and approval or upon its otherwise becoming a law.

TUSCALOOSA NEWS.

June 7, 14, 21, 28—4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Leo J. Jones, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Legal Clerk of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on June 7, June 14, June 21, and June 28, all in the year 1950.

LEO J. JONES.

Sworn to and subscribed before me July 5th., 1950.

LILLA COLLINS,
Notary Public.

Also:

By Mr. Patton:

S. 3. Relating to Limestone County: To impose additional duties upon the incumbent Superintendent of Education of Limestone County, Alabama, and provide compensation for the performance of such duties.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Limestone County: To prescribe additional duties of the County Superintendent of Education of Limestone County, Alabama; to provide compensation for the performance of such duties; to Amend Section 1 of Act number 213, S. 275, approved July 24, 1947, entitled "An Act governing the compensation of the Superintendent of Education of Limestone County" (Local Acts 1947, P. 123), and to repeal Act Number 194. H. 686, approved June 6, 1949, relating to Limestone County (Local Acts 1949, p. 225).

Section 1. a The County Superintendant of Education of Limestone County, Alabama, in addition to the duties imposed under the general laws of Alabama shall begin immediately to administer the Veterans Training Program of Limestone County, begin immediately to administer and direct the School Lunch Program of such County, and also to begin immediately to act as Secretary and Advisor to the Limestone County Board of Education during all its regular and special meetings.

Section 1. b For the performance of the extra, new and additional duties imposed on him, and for his regular duties, the annual salary of

the Superintendent of Education of Limestone County shall be paid in equal monthly installments and the amount thereof shall be governed by the gross assessed valuation of property, real and personal, tangible and intangible, in Limestone County, as shown by the records of the Tax Assessor of Limestone County as follows: When the tax assessor's records show that the gross assessed valuation of such property for the tax year ending on the thirtieth day of September of any year was less than eleven million dollars (\$11,000,000) the salary of the superintendent for the year beginning on the first day of the next January shall be three thousand six hundred dollars (\$3,600); when these records show the gross assessed valuation is eleven million dollars (\$11,000,000) or more but less than eleven million two hundred and fifty thousand dollars (\$11,250,000) the salary of the superintendent for the year beginning on the first day of the next January shall be three thousand eight hundred dollars (\$3,800); when these records show the gross assessed valuation is eleven million two hundred fifty thousand dollars (\$11,250,000) or more but less than eleven million five hundred thousand dollars (\$11,500,000) the salary of the superintendent for the year beginning on the first day of next January shall be four thousand dollars (\$4,000); when these records show the gross assessed valuation is eleven million five hundred thousand dollars (\$11,500,000) or more but less than twelve million dollars (\$12,000,000), the salary of the superintendent for the year beginning on the first day of the next January shall be four thousand and two hundred dollars (\$4,200); when these records show the gross assessed valuation is twelve million dollars (\$12,000,000) or more but less than twelve million five hundred thousand dollars (\$12,500,000) the salary of the superintendent for the year beginning on the first day of the next January shall be four thousand and eight hundred dollars (\$4,800); when these records show the gross assessed valuation is twelve million five hundred thousand dollars (\$12,500,000) or more but less than thirteen million dollars (\$13,000,000) the salary of the superintendent for the year beginning on the first day of the next January shall be five thousand four hundred dollars (\$5,400); and when these records show the gross assessed valuation is thirteen million dollars or more the annual salary of the superintendent for the succeeding calendar years shall be six thousand dollars (\$6,000); provided, however, that in the event any principal of a school under the supervision and control of said superintendent of Education receives a sum equal to or greater than the salary hereinabove provided, then and in that event, the Board of Education of Limestone County may immediately increase the salary of said superintendent of education to a sum greater than said principal's salary. In addition to his salary, the superintendent shall receive an allowance for expenses of one thousand two hundred dollars (\$1,200) per annum.

Section 2. There shall be paid to said Superintendent of Education of Limestone County, on September 1, 1950, the additional sum of two hundred thirty three dollars thirty three cents (\$233.33) as an emergency allowance for expenses to instigate, plan and set in operation the additional duties referred to in Section 1, a above.

Section 3. Act number 194 H. 686, approved June 6, 1949, relating to Limestone County, Alabama, (Local Acts 1949, p. 225 is hereby repealed.

Section 4. All local laws in conflict with this Act are hereby repealed.

Section 5. This Act shall take effect immediately upon its approval by the Governor.

DAVID U. PATTON,
State Senator.

BUNYAN D. BROADWATER,
Representative.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1950.

STEELE MCGREW.

Sworn to and subscribed before me June 30th, 1950.

ALDENA CHAPMAN,
Notary Republic.
J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 33. Local Legislation.

S. 3. Local Legislation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Fite:

S. 26. To Propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Marion County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Marion County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Also:

By Mr. Perry:

S. 35. To propose an amendment to the Constitution of Alabama fixing the terms of office and regulating the fees, commissions, allowances, and salaries of certain officers of Marengo County; and ordering an election upon the proposed amendment to be held on the date of the general election next succeeding the final adjournment of the present session of the Legislature.

Also:

By Mr. Wright:

S. 32. Relating to Talladega County; proposing an amendment to the Constitution of Alabama relative to regulating the costs and charges of

courts in Talladega County, and the fees, commissions, percentages, allowances, or salary of, and the method of compensating any officer of Talladega County; ordering a special election upon the proposed amendment.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, each proposing an amendment to the Constitution, were severally read one time at length and referred to appropriate Standing Committees as follows:

- S. 26. Constitution and Elections.
- S. 35. Local Government.
- S. 32. Constitution and Elections.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Gullledge:

S. 9. For the relief of J. L. Messer: To make an appropriation to J. L. Messer to compensate him for damages to his truck and to a load of watermelons which he was hauling resulting from a collision caused by the negligence of a convict operating a State truck.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

- S. 9. Ways and Means.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:26 A. M. on July 7, 1950. H. J. R. 6.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Inzer, the House adjourned until Tuesday, July 12, 1950, at twelve o'clock, noon.

Yeas 52; Nays 12.

Yeas:

Mr. Speaker	Busby	Doughty	Hankins
Barnett	Coburn	Dyar	Haynes (Franklin)
Black	Cole	Evans	Hornsby
Brassell	Cox	Garrett	Inzer
Broadwater	Crocker	George	Knight
Buckner	Dobbs (Fayette)	Gillis	Larkins

McDanal	Mitchell	Ramey	Thomas
McDonald	Molette	Roberts	Thompson (Crenshaw)
Mason	Nelson	Shelton	Thompson (Pike)
Mathison	Nettles	Stone	Weaver
Meeks	Norman	Sullivan	Whitcomb
Merrill	O'Neal	Taylor (Autauga)	Wood (Bibb)
Miller	Pinkston	Taylor (Hale)	Wood (Washington)

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Nays:

Messrs.:	Gibson	Kaul	Robinson
Beatty	Harris	Martin	Shirley
Callahan	Haynes (Lowndes)	Pruitt	Thagard
Dumas			

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FOURTH DAY

House of Representatives,
Montgomery, Alabama,
Tuesday, July 11, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend J. W. Brettman, Rector, St. Johns Episcopal Church.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Duffee	Larkins	Ramey
Adams (Dale)	Dumas	Leonard	Richardson
Adams (Jefferson)	Dyar	Lovelace	Roberts
Barnett	Evans	McClendon	Robinson
Beatty	Faulk	McDanal	Sadler
Benford	Ganey	McGowin	Sellers
Bennett	Garrett	Malone	Shelton
Black	George	Martin	Shirley
Brannan	Gibson	Mason	Still
Brassell	Gillis	Mathison	Stone
Broadwater	Givhan	Meeks	Taylor (Autauga)
Brown	Hankins	Merrill	Taylor (Hale)
Buckner	Harris	Miller	Thagard
Busby	Harrison	Mitchell	Thomas
Bush	Haynes (Franklin)	Molette	Thompson (Crenshaw)
Callahan	Haynes (Lowndes)	Morring	Thompson (Pike)
Coburn	Head	Nelson	Tucker
Cole	Hornsby	Nettles	Wallace
Cox	Howell	Norman	Ward
Crocker	Ingalls	O'Neal	Weaver
Denton	Inzer	Pinkston	White (Perry)
Dobbs (Elmore)	Kaul	Pinson	Wood (Bibb)
Dobbs (Fayette)	Knight	Pruitt	Wood (Washington)
Doughty			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Third Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Third Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Third Legislative Day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 12. Relative to printing and binding of Acts, Resolutions and Journals of 1st and 2nd Extraordinary Sessions of the Legislature.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 11. Mourning the passing of Dr. Roy R. Kracke, expressing appreciation for services rendered medical field and expressing sympathy for passing of Dr. Kracke to members of his family.

J. E. SPEIGHT,
Secretary.

BILLS ON SECOND READING

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. Patton:

S. 3. Relating to Limestone County: To impose additional duties upon the incumbent Superintendent of Education of Limestone County, Alabama, and provide compensation for the performance of such duties.

By Mr. Mize:

S. 33. Relating to Tuscaloosa County: To authorize the employment of a stenographic secretary by the Judge of the Inferior Court of Tuscaloosa County, and authorizing the payment of the salary of such stenographic secretary out of the Treasury of Tuscaloosa County.

By Mr. Buckner:

H. 36. To define, regulate and license barbers and barber colleges, and other like businesses in Cullman County, Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

The above and foregoing bills were severally read a second time and placed on the Calendar.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House without recommendation:

By Mr. Fite (without recommendation):

S. 26. To Propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Marion County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Marion County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above and foregoing bill, S. 26, proposing an amendment to the Constitution, was read at length a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Morring:

H. 39. Relating to the compensation of the judge of the Inferior Court of any municipality in the State which has a population of not more than 15,000 and not less than 13,000 inhabitants.

Local Legislation.

By Messrs. Leonard and Ganey (with notice and proof):

H. 40. To alter and rearrange and extend the Corporate Limits of the City of Sylacauga, Talladega County, Alabama.

Local Legislation.

Notice and Proof H. B. 40:

NOTICE

To Whom It May Concern:

Notice is hereby given that a Bill will be introduced for passage at the 1950 session of the Legislature of Alabama, the substances of which said bill is as follows:

A BILL TO BE ENTITLED AN ACT

To Alter and Rearrange and Extend the Corporate limits of the City of Sylacauga, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section I. That the Corporate Limits of the City of Sylacauga, Talladega County, Alabama be changed and extended to include the following territory:

(a) The Southwest one-quarter of Northwest one-quarter of Section 5, Township 22 South, Range 4 East.

(b) The Northeast one-quarter of Northeast one-quarter of Section 6, Township 22 South, Range 4 East.

(c) The Southeast one-quarter of Northeast one-quarter of Section 6, Township 22 South Range 4 East.

(d) The Northwest one-quarter of Northeast one-quarter of Section 6, Township 22 South, Range 4 East.

(e) The Southwest one-quarter of Northeast one-quarter of Section 6, Township 22 South, Range 4 East.

Section II. This Act shall take effect immediately upon its passage and approval of the Governor.

Approved:
ED HOWARD,
Mayor.

Attest:

C. J. JOHNSON,
City Clerk.

This is to certify that the attached Notice appeared in the Sylacauga News, a newspaper published in Sylacauga, Talladega County, Alabama for four consecutive issues, namely June 8, 15, 22, 29, 1950.

J. V. GREER,
Editor and Publisher.

Subscribed and sworn to before me this 10 day of July, 1950.

HAZEL B. JOHNSON,
Notary Public.

By Messrs. Miller and Roberts:

H. 41. To amend Section 2 of Act No. 436, General Acts of Alabama, Page 316, entitled: "To provide for the appointment of a Chief Clerk by the Circuit Solicitor in all judicial circuits that now is or may hereafter be composed of only two counties, one of which such counties is now or may hereafter be divided into two jurisdictions or judicial divisions with the holding of the Circuit Court in each jurisdiction or judicial division of such county so divided and said Circuit having only two Judges, to fix the term of office and to prescribe the duties of said Chief Clerk and to require said Chief Clerk, in addition to his work as Chief Clerk, to do stenographic and secretarial work and investigations for said Solicitor, to fix the compensation of said Chief Clerk, to provide that said compensation shall be paid out of the General Funds of the Counties composing said judicial circuits and how the same shall be paid out of the General Funds of the Counties composing said judicial circuits and how the same shall be paid, and further provide that the board of revenue or other governing body of the county paying the larger portion of the salary may suspend from time to time the operation of this act.", approved September 25, 1947.

Local Legislation.

By Mr. McDanal (with notice and proof):

H. 42. For the relief of Maude Mooney and to authorize and direct the Board of Revenue of Walker County, Alabama to pay to the said Maude Mooney the sum of \$2,500.00 for the death of her husband, Lacey Mooney, resulting from injuries while employed as a truck driver for Walker County, Alabama.

Local Legislation.

Notice and Proof H. B. 42:

AN ACT

For the relief of Maude Mooney and to authorize and direct the Board of Revenue of Walker County, Alabama to pay to the said Maude Mooney the sum of \$2,500.00 for the death of her husband, Lacey Mooney, resulting from injuries while employed as a truck driver for Walker County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Walker County, Alabama, is hereby authorized and directed to pay to the said Maude Mooney as compensation and damages for injuries received which resulted in the death of her husband on August 20, 1947, while an employee of the Board of Revenue of Walker County, Alabama, and while engaged in the line of duty.

Section 2. This act shall become effective sixty days after its passage and approval by the governor or it is otherwise becoming a law.

A. J. McDANIEL,

Representative from Walker County, Alabama.

6-15-50-4tc.

AFFIDAVIT

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared W. I. Dove of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the legal "An Act" who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; June 15, 22, 29, July 6, 1950.

W. I. DOVE,
Mgr.

Sworn and subscribed to before me, this 10 day of July, 1950.

MRS. ANNIE DAVIS,
Notary Public.

By Mr. Roberts:

H. 43. To provide for the relief of R. W. Dickinson of Mobile, Mobile County, Alabama, by making an appropriation in the sum of Ten Thousand Dollars (\$10,000.00) from any funds of the Department of State Docks and Terminals of Alabama, as compensation for the loss of one eye, disfigurement and other injuries received by the said R. W. Dickinson while in the performance of his duties as an employee of the Department of State Docks and Terminals of Alabama.

Ways and Means.

BILLS ON THIRD READING

H. 20. To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Benford	Broadwater	Cox
Adams (Dale)	Bennett	Busby	Crocker
Adams (Jefferson)	Black	Bush	Denton
Barnett	Brannan	Coburn	Dobbs (Elmore)
Beatty	Brassell	Cole	Dobbs (Fayette)

Doughty	Head	Molette	Stone
Duffee	Hornsby	Morring	Taylor (Autauga)
Dyar	Howell	Nelson	Taylor (Hale)
Evans	Knight	Nettles	Thagard
Faulk	Larkins	Norman	Thomas
Ganey	Leonard	O'Neal	Thompson (Crenshaw)
Garrett	Lovelace	Pinkston	Thompson (Pike)
George	McClendon	Pinson	Tucker
Gibson	McDanal	Ramey	Wallace
Gillis	Martin	Richardson	Ward
Hankins	Mason	Roberts	Weaver
Harris	Mathison	Robinson	White (Perry)
Harrison	Merrill	Sellers	Wood (Bibb)
Haynes (Franklin)	Miller	Shelton	Wood (Washington)
Haynes (Lowndes)	Mitchell	Still	

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And the bill:

H. 14. To repeal Act number 424 of the Local Acts of Alabama of 1947, page 281, approved September 25, 1947, entitled an Act levying in Tuscaloosa County, Alabama, additional special privilege or license taxes and excise taxes, etc.

Was taken up.

Mr. Callahan offered the following amendment to the bill, H. 14:

Amend Section Two of H. B. No. 14 so that same shall read as follows:

This Act shall become effective February 1, 1952.

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Denton	Inzer	Ramey
Adams (Dale)	Dobbs (Fayette)	Knight	Richardson
Adams (Jefferson)	Doughty	Larkins	Roberts
Barnett	Dumas	Lovelace	Robinson
Beatty	Dyar	McClendon	Sellers
Benford	Evans	Martin	Shelton
Bennett	Faulk	Mason	Still
Brannan	Ganey	Mathison	Stone
Brassell	Garrett	Meeks	Taylor (Hale)
Broadwater	George	Merrill	Thompson (Crenshaw)
Brown	Gillis	Miller	Thompson (Pike)
Buckner	Hankins	Mitchell	Tucker
Busby	Harris	Nelson	Wallace
Bush	Harrison	Nettles	Ward
Callahan	Haynes (Franklin)	Norman	Weaver
Coburn	Haynes (Lowndes)	O'Neal	White (Perry)
Cole	Head	Pinkston	Wood (Bibb)
Cox	Howell	Pinson	Wood (Washington)
Crocker			

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And the bill, H. 14, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Doughty	Larkins	Richardson
Adams (Dale)	Duffee	McClendon	Roberts
Adams (Jefferson)	Dumas	McDanal	Robinson
Beatty	Dyar	Malone	Sellers
Benford	Evans	Martin	Shelton
Bennett	Faulk	Mason	Still
Black	Ganey	Mathison	Stone
Brannan	Garrett	Meeks	Taylor (Autauga)
Brassell	George	Merrill	Taylor (Hale)
Broadwater	Gillis	Miller	Thomas
Buckner	Hankins	Mitchell	Thompson (Crenshaw)
Busby	Harris	Molette	Thompson (Pike)
Bush	Harrison	Nelson	Tucker
Callahan	Haynes (Franklin)	Nettles	Wallace
Coburn	Haynes (Lowndes)	Norman	Weaver
Cole	Head	O'Neal	Whitcomb
Cox	Howell	Pinkston	White (Perry)
Crocker	Inzer	Pinson	Wood (Bibb)
Denton	Knight	Ramey	Wood (Washington)
Dobbs (Fayette)			

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And the bill:

H. 31. Proposing an amendment to the Constitution of Alabama relative to Franklin County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Lovelace	Roberts
Adams (Dale)	Dyar	McClendon	Robinson
Beatty	Evans	McDanal	Sellers
Benford	Faulk	Malone	Shelton
Bennett	Ganey	Martin	Shirley
Black	George	Mathison	Still
Brannan	Gillis	Merrill	Stone
Brassell	Hankins	Miller	Taylor (Autauga)
Broadwater	Harris	Mitchell	Thomas
Buckner	Harrison	Molette	Thompson (Crenshaw)
Busby	Haynes (Franklin)	Nelson	Tucker
Bush	Haynes (Lowndes)	Nettles	Wallace
Callahan	Head	Norman	Ward
Cole	Howell	Pinkston	Weaver
Cox	Inzer	Pinson	Whitcomb
Crocker	Knight	Ramey	Wood (Bibb)
Dobbs (Elmore)	Larkins	Richardson	Wood (Washington)

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And the bill:

H. 34. To amend Act No. 528, H. 992, approved September 2, 1949, entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensa-

tion of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Larkins	Roberts
Adams (Dale)	Dumas	Lovelace	Robinson
Adams (Jefferson)	Dyar	McClendon	Sellers
Benford	Evans	McDanal	Shirley
Bennett	Faulk	Malone	Still
Black	Ganey	Martin	Taylor (Autauga)
Brannan	Garrett	Mason	Thomas
Brassell	George	Mathison	Thompson (Crenshaw)
Broadwater	Gillis	Miller	Thompson (Pike)
Buckner	Hankins	Mitchell	Tucker
Busby	Harrison	Molette	Wallace
Bush	Haynes (Lowndes)	Nettles	Ward
Coburn	Head	Norman	Weaver
Cole	Howell	Pinkston	White (Perry)
Cox	Inzer	Pinson	Wood (Bibb)
Denton	Knight	Ramey	Wood (Washington)

—64

REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report, with substitute:

By Messrs. Morring, Doughty and Taylor (Autauga) (with substitute):

H. J. R. 9. WHEREAS, the proposal in the form of a bill for sixty-seven senators for the State of Alabama, with the basic idea of one senator in each county in the State, has failed of passage repeatedly; and

WHEREAS, reapportionment of the House of Representatives has likewise failed of passage repeatedly; and

WHEREAS, any approach heretofore made to the problem of reapportioning either of the two Houses separately has failed for lack of breadth and scope in the thinking represented and the proposals relative to the two Houses; and

WHEREAS, the principal objection which has appeared on the surface to the proposal of a senator for each county has been the inequity of the over-all representation contained within the sixty-seven senators which would then comprise the Senate between the large and smaller counties; and

WHEREAS, the principal objection which has appeared on the surface relative to proposals for reapportionment of the House of Representatives upon a population basis has likewise been based upon the inequities of representation between the large and smaller counties; and

WHEREAS, the basic inequities concerning the Senate composed of sixty-seven members as proposed has to do with the expected spending which could, on this proposal alone, be controlled by the smaller and less populous counties; and

WHEREAS, it is basic that those who pay shall constitutionally have a voice in the spending of that which is paid into the state treasury; and

WHEREAS, no one person has been found competent heretofore of thinking on a broad enough scope to submit a bill which fully meets the problem of reapportionment to the best interests of good government in the State of Alabama; now therefore

Be it resolved by the House of Representatives, the Senate concurring, that a conference committee to be composed of 5 members from the House of Representatives of the Legislature of the State of Alabama and 5 members of the Senate of the Legislature of the State of Alabama to be appointed by the Speaker of the House and the Presiding Officer of the Senate respectively, no more than one from each congressional district so far as practicable shall be appointed for the purpose of collectively working to devise an equitable reapportionment of the House of Representatives based upon the population of the several counties of this sovereign State of Alabama and the reapportionment of the Senate and that in their several judgments is deemed equitable.

Be it further resolved, that upon the passage of this Resolution the Legislature now assembled in Special Session shall be recessed from Tuesday July 11 to Tuesday July 18 to afford time for the deliberation of the Committee as aforesaid.

And be it further resolved, that upon the reconvening of the Legislature this Committee shall report to the respective Houses their findings and, if possible, a bill or bills representing the collective thinking of the Committee to accomplish the two purposes as aforesaid.

And be it further resolved, that the members appointed to serve on the Committee herein provided for shall, during the time of their service, receive salary and expenses at the rate provided for regular sessions, together with the necessary clerical help, provided that no other members of the legislature shall be paid during said recess.

The question was upon the adoption of the substitute reported by the Standing Committee on Rules, said committee substitute being as follows:

WHEREAS, the proposal in the form of a bill for sixty-seven senators for the State of Alabama, with the basic idea of one senator in each county in the State, has failed of passage repeatedly; and

WHEREAS, reapportionment of the House of Representatives has likewise failed of passage repeatedly; and

WHEREAS, any approach heretofore made to the problem of reapportioning either of the two Houses separately has failed for lack of breadth and scope in the thinking represented and the proposals relative to the two Houses; and

WHEREAS, the principal objection which has appeared on the surface to the proposal of a senator for each county has been the inequity of the over-all representation contained within the sixty-seven senators which would then comprise the Senate between the large and smaller counties; and

WHEREAS, the principal objection which has appeared on the surface relative to proposals for reapportionment of the House of Representatives upon a population basis has likewise been based upon the inequities of representation between the large and smaller counties; and

WHEREAS, the basic inequities concerning the Senate composed of sixty-seven members as proposed has to do with the expected spending which could, on this proposal alone, be controlled by the smaller and less populous counties; and

WHEREAS, it is basic that those who pay shall constitutionally have a voice in the spending of that which is paid into the state treasury; and

WHEREAS, no one person has been found competent heretofore of thinking on a broad enough scope to submit a bill which fully meets the problem of reapportionment to the best interests of good government in the State of Alabama; now therefore

Be it resolved by the House of Representatives, the Senate concurring, that a conference committee to be composed of five members from the House of Representatives of the Legislature of the State of Alabama and five members of the Senate of the Legislature of the State of Alabama, to be appointed by the Speaker of the House and the Presiding Officer of the Senate respectively, no more than one from each congressional district so far as practicable, shall be appointed for the purpose of collectively working to devise an equitable reapportionment of the House of Representatives based upon the population of the several counties of this sovereign State of Alabama and the reapportionment of the Senate and that in their several judgments is deemed equitable.

Be it further resolved, that upon the passage of this Resolution the Legislature now assembled in Special Session shall be recessed from Tuesday, July 11, to Tuesday, July 18, to afford time for the deliberation of the Committee as aforesaid.

And be it further resolved, that upon the reconvening of the Legislature this Committee shall report to the respective Houses their findings and, if possible, a bill or bills representing the collective thinking of the Committee to accomplish the two purposes as aforesaid.

And be it further resolved, that the members appointed to serve on the Committee herein provided for shall, during the time of their service, receive salary and expenses at the rate provided for regular sessions, together with the necessary clerical help, provided that no other members of the Legislature shall be paid during said recess.

And the substitute for H. J. R. 9 reported by the Standing Committee on Rules was adopted.

Yeas 45; Nays 40.

Yeas:

Mr. Speaker	Cole	Howell	Morring
Adams (Jefferson)	Cox	Inzer	Nelson
Benford	Dobbs (Elmore)	Knight	Nettles
Bennett	Dobbs (Fayette)	Larkins	O'Neal
Black	Duffee	Leonard	Pinkston
Brannan	Dyar	McDanal	Roberts
Brassell	Garrett	McGowin	Taylor (Autauga)
Broadwater	George	Mathison	Thomas
Buckner	Hankins	Merrill	Thompson (Crenshaw)
Busby	Haynes (Franklin)	Miller	Wallace
Bush	Head	Mitchell	Weaver
Coburn			

—45

Nays:

Messrs.:	Harris	Molette	Stone
Adams (Dale)	Harrison	Norman	Taylor (Hale)
Beatty	Haynes (Lowndes)	Pinson	Thagard
Brown	Hornsby	Ramey	Thompson (Pike)
Crocker	Ingalls	Richardson	Tucker
Dumas	Kaul	Robinson	Ward
Evans	McClendon	Sellers	Whitcomb
Faulk	Martin	Shelton	White (Perry)
Gibson	Mason	Shirley	Wood (Bibb)
Gillis	Meeks	Still	Wood (Washington)
Givhan			

—40

Mr. Morring offered the following amendment to the resolution, H. J. R. 9, as amended:

Amend H. J. R. 9 by striking the words upon the passage of this Resolution and inserting the words therefor "upon the adjournment of the Legislature on July 11th 1950"

And the amendment was adopted.

Mr. Givhan offered the following substitute for the resolution, H. J. R. 9, as amended:

Whereas, after the conclusion of today's session of the Legislature there will be no funds available to pay any expenses of the Legislature other than the printing of the Journals and clerical expenses, and

Whereas, if additional money is appropriated for legislative expenses, it will have to be obtained from funds previously appropriated to carrying on other essential services of the State government, thus curtailing or crippling those services, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That a vote be taken today by the House on H. B. 11 and if said bill fails of passage in the House the two Houses adjourn today sine die.

On motion of Mr. Merrill, the substitute offered by Mr. Givhan for H. J. R. 9, as amended, was laid upon the table.

Yeas 54; Nays 34.

Yeas:

Mr. Speaker	Denton	Inzer	O'Neal
Adams (Jefferson)	Dobbs (Elmore)	Knight	Pinkston
Barnett	Dobbs (Fayette)	Larkins	Roberts
Benford	Doughty	Leonard	Shelton
Bennett	Dyar	Lovelace	Still
Black	Evans	McDanal	Taylor (Autauga)
Brassell	Ganey	Mathison	Thomas
Broadwater	Garrett	Merrill	Thompson (Crenshaw)
Buckner	George	Miller	Thompson (Pike)
Busby	Gillis	Mitchell	Wallace
Bush	Hankins	Morring	Weaver
Coburn	Haynes (Franklin)	Nelson	Wood (Bibb)
Cole	Head	Nettles	Wood (Washington)
Cox	Howell		

—54

Nays:

Messrs.:	Gibson	Malone	Robinson
Adams (Dale)	Givhan	Martin	Sellers
Beatty	Harris	Mason	Shirley
Brannan	Harrison	Meeks	Stone
Brown	Haynes (Lowndes)	Molette	Taylor (Hale)
Crocker	Hornsby	Norman	Thagard
Duffee	Ingalls	Pinson	Tucker
Dumas	Kaul	Ramey	White (Perry)
Faulk	McClendon	Richardson	

—34

And the resolution, H. J. R. 9, as amended, was lost.

Yeas 40; Nays 45.

Yeas:

Mr. Speaker	Brassell	Cole	Doughty
Barnett	Broadwater	Cox	Dyar
Benford	Buckner	Denton	Ganey
Bennett	Busby	Dobbs (Elmore)	Garrett
Black	Coburn	Dobbs (Fayette)	George

Hankins	Larkins	Morring	Roberts
Haynes (Franklin)	Leonard	Nelson	Still
Head	McDanal	Nettles	Taylor (Autauga)
Howell	Miller	O'Neal	Thompson (Crenshaw)
Knight	Mitchell	Pinkston	Weaver

—40

Nays:

Messrs.:	Givhan	Meeks	Stone
Adams (Dale)	Harris	Merrill	Taylor (Hale)
Adams (Jefferson)	Harrison	Molette	Thagard
Beatty	Haynes (Lowndes)	Norman	Thomas
Brannan	Hornsby	Pinson	Thompson (Pike)
Brown	Ingalls	Ramey	Tucker
Crocker	Inzer	Richardson	Ward
Duffee	Kaul	Robinson	Whitcomb
Dumas	McClendon	Sellers	White (Perry)
Faulk	Malone	Shelton	Wood (Bibb)
Gibson	Martin	Shirley	Wood (Washington)
Gillis	Mason		

—45

Mr. Merrill moved to reconsider the vote by which the resolution, H. J. R. 9, as amended, was lost.

Mr. Wood of Bibb moved to lay on the table the motion of Mr. Merrill to reconsider the vote by which the resolution, H. J. R. 9, as amended, was lost.

MOTION IN WRITING

Mr. Merrill offered the following motion in writing:

I move the house now adjourn until 2:30.

RECESS

On motion of Mr. Merrill the House recessed until 2:30 o'clock this afternoon.

Yeas 44; Nays 42.

Yeas:

Mr. Speaker	Cox	Head	Nelson
Barnett	Dobbs (Elmore)	Howell	Nettles
Benford	Dobbs (Fayette)	Inzer	Pinkston
Bennett	Doughty	Larkins	Roberts
Black	Dyar	Leonard	Shelton
Brassell	Evans	Lovelace	Still
Broadwater	Ganey	Mathison	Taylor (Autauga)
Buckner	Garrett	Merrill	Thompson (Crenshaw)
Busby	Gillis	Miller	Thompson (Pike)
Bush	Hankins	Mitchell	Weaver
Coburn	Haynes (Franklin)	Morring	Wood (Washington)

—44

Nays:

Messrs.:	George	Malone	Sellers
Adams (Dale)	Gibson	Martin	Stone
Adams (Jefferson)	Givhan	Mason	Taylor (Hale)
Beatty	Harris	Meeks	Thagard
Brannan	Harrison	Molette	Tucker
Brown	Haynes (Lowndes)	Norman	Wallace
Cole	Hornsby	O'Neal	Ward
Denton	Ingalls	Pinson	Whitcomb
Duffee	Kaul	Ramey	White (Perry)
Dumas	Knight	Richardson	Wood (Bibb)
Faulk	McClendon	Robinson	

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AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 11. Mourning the passing of Dr. Roy R. Kracke, expressing appreciation for services rendered medical field and expressing sympathy for passing of Dr. Kracke to members of his family.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 1. To provide legal counsel for the Chief Examiner and the Department of Examiners of Public Accounts and to provide salary for counsel.

Was taken up.

Mr. Sellers offered the following amendment to the bill, H. 1:

Amend House Bill No. 1 by striking therefrom Section No. 1 thereof as the same now appears therein, and by substituting in lieu thereof the following:

Section No. 1. The Chief Examiner of Public Accounts, with the approval of the Attorney General, shall be authorized, subject to the provisions of the State Merit System Law, to appoint a legal counsel for the Department of Examiners of Public Accounts.

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Coburn	Gillis	Larkins
Adams (Dale)	Cole	Givhan	Leonard
Adams (Jefferson)	Crocker	Hankins	Lovelace
Beatty	Dobbs (Elmore)	Harris	McClendon
Benford	Dobbs (Fayette)	Harrison	McDanal
Bennett	Doughty	Haynes (Franklin)	Malone
Black	Duffee	Haynes (Lowndes)	Martin
Brannan	Dumas	Head	Mason
Brassell	Dyar	Hornsby	Mathison
Broadwater	Evans	Howell	Meeks
Brown	Faulk	Ingalls	Miller
Buckner	Ganey	Inzer	Mitchell
Busby	Garrett	Kaul	Molette
Bush	George	Knight	Nelson

Norman	Robinson	Taylor (Autauga)	Wallace
O'Neal	Sellers	Taylor (Hale)	Ward
Pinkston	Shelton	Thagard	Weaver
Pinson	Shirley	Thomas	White (Perry)
Ramey	Still	Thompson (Crenshaw)	Wood (Bibb)
Richardson	Stone	Tucker	Wood (Washington)
Roberts			

—81

And the bill, H. 1, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Faulk	Lovlace	Roberts
Adams (Dale)	Ganey	McClendon	Sadler
Adams (Jefferson)	Garrett	McDanal	Sellers
Beatty	George	Malone	Shelton
Benford	Gibson	Martin	Shirley
Bennett	Gillis	Mason	Still
Brannan	Givhan	Mathison	Stone
Brassell	Hankins	Meeks	Taylor (Autauga)
Broadwater	Harris	Miller	Taylor (Hale)
Busby	Harrison	Mitchell	Thagard
Bush	Haynes (Lowndes)	Molette	Thomas
Coburn	Head	Morring	Thompson (Crenshaw)
Cole	Hornsby	Nelson	Tucker
Crocker	Howell	Norman	Wallace
Dobbs (Elmore)	Ingalls	O'Neal	Ward
Doughty	Inzer	Pinkston	Weaver
Duffee	Kaul	Pinson	White (Perry)
Dumas	Knight	Ramey	Wood (Bibb)
Dyar	Larkins	Richardson	Wood (Washington)
Evans	Leonard		

—78

And the Bill:

H. 10. To amend Section 298 of Title 52 of the Code of Alabama (1940), which relates to the minimum age at which children may attend school.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 2.

Yeas:

Mr. Speaker	Cole	Gibson	Lovlace
Adams (Dale)	Cox	Gillis	McClendon
Adams (Jefferson)	Crocker	Givhan	McDanal
Barnett	Denton	Hankins	McGowin
Beatty	Dobbs (Elmore)	Harris	Malone
Benford	Dobbs (Fayette)	Haynes (Lowndes)	Martin
Bennett	Doughty	Head	Mason
Black	Duffee	Hornsby	Mathison
Brannan	Dumas	Howell	Meeks
Brassell	Dyar	Ingalls	Merrill
Buckner	Evans	Inzer	Miller
Busby	Faulk	Kaul	Mitchell
Bush	Ganey	Knight	Molette
Callahan	Garrett	Larkins	Morring
Coburn	George	Leonard	Nelson

Nettles	Roberts	Taylor (Autauga)	Tucker
Norman	Robinson	Taylor (Hale)	Ward
O'Neal	Sellers	Thagard	Weaver
Pinkston	Shelton	Thomas	White (Perry)
Pinson	Shirley	Thompson (Crenshaw)	Wood (Bibb)
Ramey	Still	Thompson (Pike)	Wood (Washington)
Richardson	Stone		
—86			
<i>Nays:</i> Messrs. Broadwater and Haynes of Franklin			
—2			

RESOLUTIONS

The following resolutions were introduced:

By Mr. Adams of Jefferson:

H. J. R. 13. WHEREAS, the present international situation makes the threat of communism and the activities of communists in the United States even more grave at the present time than it has been heretofore, and

WHEREAS, the most complete and comprehensive measures should be taken for the apprehension and identification of communists in the United States, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING:

1. The President of the United States is most respectfully requested and memorialized to order the Federal Bureau of Investigation to apprehend, fingerprint and otherwise identify, and keep under strict surveillance communists in the United States.

2. The Clerk of the House of Representatives is directed to transmit a copy of this Resolution to the President of the United States.

On motion of Mr. Adams of Jefferson the rules were suspended and H. J. R. 13 was adopted.

Also:

By Mr. Adams of Jefferson:

H. J. R. 14. WHEREAS, communism is the greatest threat to democracy and to the peace and security of our nation and the world, as evidenced by the present international situation, and

WHEREAS, the most thorough measures should be taken to apprehend, identify and control communists and their activities, and

WHEREAS, the Legislature believes that the Birmingham Police Commissioner has acted wisely and well and in the public interest in ordering the apprehension and fingerprinting of communists in Birmingham, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING:

1. The Birmingham Police Commissioner and the Birmingham Police Department are commended and congratulated by the Legislature for the prompt and effective action which is being taken by them to combat communists and the dangers of communists subversion.

2. The Clerk of the House of Representatives is directed to transmit a copy of this Resolution to the Police Commissioner and the Chief of Police of the City of Birmingham.

On motion of Mr. Adams of Jefferson the rules were suspended and H. J. R. 14 was adopted.

UNFINISHED BUSINESS

Consideration of H. J. R. 9, as amended, was resumed.

The motion of Mr. Wood of Bibb to lay on the table the motion of Mr. Merrill to reconsider the vote by which the resolution, H. J. R. 9, as amended, was lost, was lost.

Yeas 39; Nays 49.

Yeas:

Messrs.:	George	Malone	Sadler
Adams (Dale)	Gibson	Martin	Sellers
Adams (Jefferson)	Givhan	Mason	Shirley
Beatty	Harris	Meeks	Stone
Brannan	Harrison	Molette	Taylor (Hale)
Brown	Haynes (Lowndes)	Norman	Thagard
Crocker	Ingalls	Pinson	Thomas
Duffee	Kaul	Ramey	Tucker
Dumas	McClendon	Richardson	White (Perry)
Faulk	McGowin	Robinson	Wood (Bibb)

—39

Nays:

Mr. Speaker	Cox	Howell	Nettles
Barnett	Denton	Knight	O'Neal
Benford	Dobbs (Elmore)	Larkins	Pinkston
Bennett	Dobbs (Fayette)	Leonard	Roberts
Black	Doughty	Lovelace	Shelton
Brassell	Dyar	McDanal	Still
Broadwater	Evans	Mathison	Taylor (Autauga)
Buckner	Ganey	Merrill	Thompson (Crenshaw)
Busby	Garrett	Miller	Thompson (Pike)
Bush	Hankins	Mitchell	Wallace
Callahan	Haynes (Franklin)	Morring	Weaver
Coburn	Head	Nelson	Wood (Washington)
Cole			

—49

And the motion of Mr. Merrill to reconsider the vote by which the resolution, H. J. R. 9, as amended, was lost, was adopted.

Yeas 50; Nays 41.

Yeas:

Mr. Speaker	Denton	Howell	Nettles
Barnett	Dobbs (Elmore)	Inzer	O'Neal
Benford	Dobbs (Fayette)	Knight	Pinkston
Bennett	Doughty	Larkins	Roberts
Black	Dyar	Lovelace	Shelton
Brassell	Evans	McDanal	Still
Broadwater	Ganey	Mathison	Taylor (Autauga)
Buckner	Garrett	Merrill	Thompson (Crenshaw)
Busby	George	Miller	Thompson (Pike)
Bush	Gillis	Mitchell	Wallace
Coburn	Hankins	Morring	Weaver
Cole	Haynes (Franklin)	Nelson	Wood (Washington)
Cox	Head		

—50

Nays:

Messrs.:	Crocker	Harrison	Martin
Adams (Dale)	Duffee	Haynes (Lowndes)	Mason
Adams (Jefferson)	Dumas	Ingalls	Meeks
Beatty	Faulk	Kaul	Molette
Brannan	Gibson	Leonard	Norman
Brown	Givhan	McClendon	Pinson
Callahan	Harris	Malone	Pruitt

Ramey	Sellers	Thagard	Ward
Richardson	Shirley	Thomas	White (Perry)
Robinson	Stone	Tucker	Wood (Bibb)
Sadler	Taylor (Hale)		

—41

And the resolution, H. J. R. 9, as amended, was adopted.

Yeas 47; Nays 43.

Yeas:

Mr. Speaker	Denton	Inzer	O'Neal
Benford	Dobbs (Elmore)	Knight	Pinkston
Bennett	Dobbs (Fayette)	Larkins	Roberts
Black	Doughty	Lovelace	Shelton
Brassell	Dyar	McDanal	Still
Broadwater	Evans	Mathison	Taylor (Autauga)
Buckner	Ganey	Merrill	Thompson (Crenshaw)
Busby	Garrett	Miller	Thompson (Pike)
Bush	George	Mitchell	Wallace
Coburn	Hankins	Morring	Weaver
Cole	Haynes (Franklin)	Nelson	Wood (Washington)
Cox	Head	Nettles	

—47

Nays:

Messrs.:	Gillis	Malone	Sadler
Adams (Dale)	Givhan	Martin	Sellers
Beatty	Harris	Mason	Shirley
Brannan	Harrison	Meeks	Stone
Brown	Haynes (Lowndes)	Molette	Taylor (Hale)
Callahan	Howell	Norman	Thagard
Crocker	Ingalls	Pinson	Thomas
Duffee	Kaul	Pruitt	Tucker
Dumas	Leonard	Ramey	Ward
Faulk	McClendon	Richardson	White (Perry)
Gibson	McGowin	Robinson	Wood (Bibb)

—43

MOTION TO RECESS LOST

The motion of Mr. Wood of Bibb to recess for thirty minutes was lost.

Yeas 25; Nays 55.

Yeas:

Messrs.:	Duffee	Meeks	Sellers
Beatty	Gibson	Pinson	Shelton
Bennett	Harris	Pruitt	Taylor (Autauga)
Broadwater	Head	Ramey	Taylor (Hale)
Bush	Inzer	Richardson	Wallace
Callahan	McClendon	Sadler	Wood (Bibb)
Doughty	Malone		

—25

Nays:

Mr. Speaker	Coburn	Faulk	Larkins
Adams (Dale)	Cole	Garrett	Leonard
Barnett	Cox	George	McDanal
Benford	Denton	Givhan	McGowin
Black	Dobbs (Elmore)	Hankins	Martin
Brannan	Dobbs (Fayette)	Haynes (Franklin)	Mason
Brassell	Dumas	Howell	Mathison
Brown	Dyar	Ingalls	Merrill
Busby	Evans	Knight	Miller

Mitchell	O'Neal	Still	Thompson (Pike)
Molette	Pinkston	Stone	Ward
Nelson	Roberts	Thagard	Weaver
Nettles	Robinson	Thomas	Wood (Washington)
Norman	Shirley	Thompson (Crenshaw)	—55

BILLS POSTPONED

On motion of Mr. Merrill, all reapportionment bills now on the calendar were carried over to the next legislative day without losing their place on the calendar.

Yeas 44; Nays 42.

Yeas:

Mr. Speaker	Dobbs (Elmore)	Howell	Nettles
Benford	Dobbs (Fayette)	Inzer	O'Neal
Bennett	Doughty	Knight	Pinkston
Black	Dyar	Larkins	Roberts
Brassell	Evans	McDanal	Sheiton
Buckner	Ganey	Mathison	Still
Busby	Garrett	Merrill	Taylor (Autauga)
Coburn	George	Miller	Thompson (Crenshaw)
Cole	Hankins	Mitchell	Thompson (Pike)
Cox	Haynes (Franklin)	Morring	Weaver
	Head	Nelson	Wood (Washington)

—44

Nays:

Messrs.:	Givhan	Martin	Sellers
Adams (Dale)	Harris	Mason	Shirley
Beatty	Harrison	Meeks	Stone
Brannan	Haynes (Lowndes)	Molette	Taylor (Hale)
Brown	Hornsby	Norman	Thagard
Callahan	Ingalls	Pinson	Thomas
Crocker	Kaul	Pruitt	Tucker
Duffee	Leonard	Ramey	Ward
Dumas	McClendon	Richardson	White (Perry)
Faulk	McGowin	Robinson	Wood (Bibb)
Gibson	Malone	Sadler	—42

RESOLUTION

The following resolution was introduced:

By Mr. Dumas:

A Resolution Requesting the Opinions of the Justices of the Supreme Court of Alabama on Important Constitutional Questions.

H. R. 15. Be it resolved by the House of Representatives: That the opinions of the Justices of the Supreme Court of Alabama are hereby respectfully requested on the following important constitutional questions:

The substitute to House Bill No. 11, which has had its second reading in the House of Representatives, proposes a Constitutional Amendment (a) giving each of the 67 counties a senator (b) reapportioning the membership of the House of Representatives among the several counties of the State and (c) providing for a board of apportionment to reapportion the membership of the House of Representatives following the 1960 and each subsequent decennial census of the United States. A copy of the substitute is attached.

If upon third reading the House of Representatives should pass said substitute by the necessary 3/5 vote and the bill should be transmitted

to the Senate and the Senate should adopt an amendment or a substitute striking out or eliminating the provisions for house reapportionment or for the board of apportionment or both, would such amendment or substitute have to be concurred in by a simple majority of the House of Representatives or by a three-fifths majority of all the members elected to the House of Representatives in order for such amendment to be validly submitted pursuant to Section 284 of the Constitution, as amended.

Would the concurrence of the House of Representatives in such senate amendment or substitute be a sufficient compliance with the requirement of Section 284 of the Constitution, as amended, that the proposed amendment be read on three several days in the house in which it originates.

On motion of Mr. Dumas the rules were suspended and H. R. 15 was adopted.

Substitute for H. B. 11.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama relating to legislative representation.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor, to-wit:

"The Senate of Alabama shall consist of one senator from each county, and the House of Representatives shall consist of not more than one hundred six members, to be apportioned among the several counties as prescribed herein; provided that in addition to the above number of representatives, each new county hereafter created shall be entitled to one representative.

"Until an apportionment of representatives among the several counties is made as provided herein, representatives shall be apportioned among the several counties of the state, according to the number of inhabitants in them as ascertained by the 1950 federal census, as follows: Jefferson County shall have fourteen representatives; Mobile County shall have six representatives; Montgomery County shall have four representatives; Etowah and Tuscaloosa counties shall have three representatives each; Baldwin, Calhoun, Covington, Cullman, Dallas, DeKalb, Houston, Lauderdale, Lee, Madison, Marshall, Morgan, Russell, Talladega, and Walker counties shall have two representatives each; and each of the remaining counties shall have one representative.

"After the publication of the federal census in 1960, and every ten years thereafter, it shall be the duty of the Governor, the Secretary of State, and the Attorney General, or a majority of them, to make an apportionment of the membership of the House of Representatives in accordance with the following provisions:

"1. It shall be the duty of the Board of Apportionment to meet upon the call of the Governor, within ninety days after the publication of each federal census, and apportion the membership of the House of Representatives, in the number as then provided by law, among the several counties of the State according to the number of inhabitants in them as ascertained by said census.

"2. Immediately after having made the apportionment, the Board of Apportionment shall file a written report with the Secretary of State,

setting forth the number of Representatives apportioned to each county; and the Governor shall immediately publish the report of the Board by proclamation. The apportionment shall become effective and final ninety (90) days from the date of the Governor's proclamation, unless proceedings for review and revision of the apportionment shall have then been instituted in the Supreme Court. Any apportionment so made by the Board of Apportionment shall not be subject to alteration, either by the Legislature or by the Board of Apportionment, until ninety days after publication of the next decennial census of the United States. New counties created after an apportionment shall be entitled to one representative until the next apportionment.

"3. Upon application of any qualified elector, in the name of the State, without the necessity of obtaining the consent of any of the officers or officials of the State, the Supreme Court of Alabama shall compel the Board of Apportionment to perform its duties, and the Court may review and revise any action of the Board of Apportionment which it regards as arbitrary or an abuse of discretion. Any application for review and revision shall be filed in the Supreme Court within ninety (90) days after the proclamation by the Governor publishing the report of the Board of Apportionment. If any report of the Board of Apportionment is revised by the Supreme Court, a certified copy of the judgment shall be transmitted by the Clerk of the Supreme Court to the Secretary of State. The revised report shall become effective immediately. It shall be the duty of the Governor to publish such report by proclamation.

"The senators and representatives provided for herein shall be elected by the qualified electors of the several counties at the general election of 1954 and every fourth year thereafter.

"Any provision of this Constitution which conflicts with the provisions hereof is superseded and repealed."

Section 2. An election upon the proposed Amendment is ordered to be held at the general election next succeeding this session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Alabama Code of 1940.

Section 3. Notice of the election and of the proposed Amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in every county of the State in which a newspaper is published, and in every county in which no newspaper is published a copy of such notice shall be posted at the courthouse for four successive weeks next preceding the day appointed for the election.

BILLS ON THIRD READING RESUMED

H. 9. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Was taken up.

The motion of Mr. Malone to indefinitely postpone the bill, H. 9, was lost.

Yeas 10; Nays 61.

Yeas:

Messrs.:
Adams (Dale)
Denton

Gillis
Haynes (Franklin)
Ingalls

McGowin
Malone
Molette

Norman
Wood (Washington)

—10

Nays:

Mr. Speaker	Dobbs (Elmore)	Kaul	Pinkston
Adams (Jefferson)	Dobbs (Fayette)	Knight	Pinson
Barnett	Doughty	Larkins	Pruitt
Beatty	Dyar	Leonard	Roberts
Benford	Evans	McClendon	Sellers
Bennett	Ganey	McDanal	Shelton
Black	George	Martin	Shirley
Brassell	Gibson	Mason	Still
Broadwater	Givhan	Mathison	Stone
Buckner	Hankins	Meeks	Taylor (Autauga)
Busby	Harris	Merrill	Taylor (Hale)
Callahan	Head	Miller	Thomas
Coburn	Hornsby	Mitchell	Thompson (Crenshaw)
Cole	Howell	Nettles	Wallace
Cox	Inzer	O'Neal	White (Perry)
Crocker			

—61

And the bill, H. 9, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 4.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Knight	Ramey
Adams (Dale)	Doughty	Larkins	Richardson
Adams (Jefferson)	Dyar	McClendon	Roberts
Barnett	Evans	McDanal	Sellers
Beatty	Faulk	McGowin	Shelton
Benford	Ganey	Martin	Shirley
Bennett	Garrett	Mason	Still
Black	George	Mathison	Stone
Brannan	Gibson	Meeks	Taylor (Autauga)
Brassell	Givhan	Merrill	Taylor (Hale)
Broadwater	Hankins	Miller	Thagard
Buckner	Harris	Mitchell	Thomas
Busby	Harrison	Molette	Thompson (Crenshaw)
Callahan	Haynes (Lowndes)	Nelson	Thompson (Pike)
Coburn	Head	Nettles	Wallace
Cole	Hornsby	O'Neal	Weaver
Cox	Howell	Pinkston	White (Perry)
Crocker	Inzer	Pinson	Wood (Bibb)
Denton	Kaul	Pruitt	Wood (Washington)
Dobbs (Elmore)			

—77

Nays:

Messrs.:	Ingalls	Malone	Norman
Gillis			

—4

H. 8 INDEFINITELY POSTPONED

On motion of Mr. Benford, the bill, H. 8, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 26. To amend sections 1, 2 and 5 of Act No. 317, approved December 9, 1859, entitled "An act To Incorporate the Grand Lodge of Free and Accepted Masons of the State of Alabama and the subordinate Lodges under its jurisdiction," as amended.

On motion of Mr. Beck the motion of Mr. Meeks to postpone consideration of the bill, H. 26, until the next legislative day, was laid upon the table.

Yeas 45; Nays 36.

Yeas:

Mr. Speaker	Cox	Howell	Nettles
Adams (Dale)	Denton	Inzer	Pinkston
Benford	Dobbs (Elmore)	Knight	Pinson
Bennett	Dobbs (Fayette)	Larkins	Roberts
Black	Doughty	McClendon	Sellers
Brannan	Dyar	Mathison	Still
Brassell	Garrett	Merrill	Thomas
Broadwater	George	Miller	Thompson (Crenshaw)
Buckner	Givhan	Mitchell	Wallace
Busby	Hankins	Molette	Weaver
Coburn	Haynes (Franklin)	Nelson	Wood (Washington)
Cole			

—45

Nays:

Messrs.:	Ganey	Malone	Robinson
Adams (Jefferson)	Gibson	Martin	Sadler
Barnett	Harris	Mason	Shelton
Beatty	Harrison	Meeks	Stone
Brown	Head	Norman	Taylor (Autauga)
Bush	Ingalls	O'Neal	Taylor (Hale)
Callahan	Kaul	Pruitt	Thagard
Crocker	Leonard	Ramey	Thompson (Pike)
Dumas	McGowin	Richardson	Wood (Bibb)
Faulk			

—36

And the bill, H. 26, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 12.

Yeas:

Mr. Speaker	Denton	Knight	Pruitt
Adams (Dale)	Dobbs (Elmore)	Larkins	Ramey
Beatty	Dobbs (Fayette)	McClendon	Roberts
Benford	Doughty	Martin	Sellers
Bennett	Dyar	Mathison	Shelton
Black	Ganey	Merrill	Shirley
Brannan	Garrett	Miller	Still
Brassell	George	Mitchell	Taylor (Hale)
Broadwater	Givhan	Molette	Thagard
Buckner	Hankins	Nelson	Thomas
Busby	Harris	Nettles	Thompson (Crenshaw)
Bush	Haynes (Franklin)	O'Neal	Wallace
Coburn	Haynes (Lowndes)	Pinkston	Weaver
Cole	Howell		Wood (Washington)
Cox	Inzer		

58—

Nays:

Messrs.:	Ingalls	Malone	Richardson
Brown	Kaul	Meeks	Sadler
Harrison	Leonard	Norman	Stone
Head			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S. J. R. 14. Be it resolved by the Senate of Alabama, the House of Representatives concurring that we do thank the Alabama Peace Officers for the fine luncheon served and splendid entertainment given to this body at noon today and that a copy of this resolution be sent by the Secretary of the Senate to the President of said Organization.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell the rules were suspended and the House concurred in and adopted the S. J. R. 14 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Pruitt:

H. J. R. 16. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That when the two houses adjourn today, they adjourn sine die.

The motion of Mr. Pruitt to suspend the rules in order to place the resolution for immediate adoption, was lost.

Yeas 36; Nays 38.

Yeas:

Messrs.:	Faulk	Leonard	Pinson
Adams (Dale)	Ganey	McClendon	Pruitt
Beatty	Gibson	McGowin	Richardson
Brannan	Givhan	Malone	Robinson
Brown	Harris	Martin	Sadler
Bush	Harrison	Mason	Stone
Crocker	Haynes (Lowndes)	Meeks	Taylor (Hale)
Duffee	Ingalls	Molette	Thagard
Dumas	Kaul	Norman	White (Perry)
Dyar			

—36

Nays:

Mr. Speaker	Dobbs (Fayette)	McDanal	Roberts
Barnett	Doughty	Mathison	Shelton
Benford	Farrett	Merrill	Still
Bennett	George	Miller	Taylor (Autauga)
Black	Hankins	Mitchell	Thompson (Crenshaw)
Brassell	Haynes (Franklin)	Nelson	Thompson (Pike)
Busby	Howell	Nettles	Wallace
Coburn	Inzer	O'Neal	Weaver
Cole	Knight	Pinkston	Wood (Washington)
Denton	Larkins		

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And the resolution, H. J. R. 16, was read and referred to the Standing Committee on Rules.

MOTION TO RECESS LOST

The motion of Mr. Pruitt to recess for thirty minutes was lost.

Yeas 36; Nays 41.

Yeas:

Messrs.:	Brannan	Crocker	Faulk
Adams (Dale)	Brown	Duffee	Ganey
Beatty	Bush	Dumas	Gibson

Givhan	McClendon	Molette	Sadler
Harris	McGowin	Norman	Sellers
Harrison	Malone	Pinson	Stone
Haynes (Lowndes)	Martin	Pruitt	Taylor (Hale)
Ingalls	Mason	Richardson	Thagard
Kaul	Meeks	Robinson	White (Perry)
Leonard			

—36

Nays:

Mr. Speaker	Dobbs (Fayette)	Larkins	Ramey
Adams (Jefferson)	Dyar	McDanal	Roberts
Barnett	Garrett	Mathison	Shelton
Benford	George	Merrill	Shirley
Bennett	Gillis	Miller	Still
Black	Hankins	Mitchell	Taylor (Autauga)
Brassell	Haynes (Franklin)	Nelson	Thompson (Crenshaw)
Busby	Howell	Nettles	Wallace
Coburn	Inzer	O'Neal	Weaver
Cole	Knight	Pinkston	Wood (Washington)
Denton			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 13. Respectfully requesting the President of the United States to order Federal Bureau of Investigation to apprehend, fingerprint and otherwise identify, and keep under strict surveillance communists in the United States.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Quarles:

S. J. R. 15. WHEREAS, The Legislature of Alabama believes that the present international situation makes the presence of communists and communistic activities in the United States an extremely grave danger to the peace, security and safety of our citizens, and

WHEREAS, the Legislature of Alabama is of the opinion that all communists in the United States who are deportable should be deported, now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE CONCURRING:

1. The Legislature of Alabama respectfully requests and memorializes the Congress of the United States to enact legislation ordering the deportation of all communists in the United States who are deportable.

2. The Secretary of the Senate is directed to transmit a copy of this Resolution to the Secretary of the United States Senate, the Clerk of the United States House of Representatives and to each member of the Alabama congressional delegation.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Meeks the rules were suspended and the House concurred in and adopted the S. J. R. 15 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Givhan:

H. J. R. 17. Whereas, after the conclusion of today's session of the Legislature there will be no funds available to pay any expenses of the Legislature other than the printing of the Journals and clerical expenses, and

Whereas, if additional money is appropriated for legislative expenses, it will have to be obtained from funds previously appropriated to carrying on other essential services of the State government, thus curtailing or crippling those services, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING:

1. After today's session the members of the Legislature shall serve during the remainder of the present session without any compensation or allowance.

The motion of Mr. Givhan to suspend the rules in order to place the resolution for immediate adoption, was lost.

Yeas 30; Nays 44.

Yeas:

Messrs.:	Faulk	McClendon	Robinson
Adams (Dale)	Ganey	McGowin	Sadler
Beatty	Gibson	Malone	Shirley
Brannan	Givhan	Martin	Stone
Brown	Harris	Meeks	Taylor (Hale)
Crocker	Harrison	Norman	Thagard
Duffee	Haynes (Lowndes)	Pinson	Wallace
Dumas	Kaul	Pruitt	

—30

Nays:

Mr. Speaker	Dobbs (Fayette)	Larkins	Ramey
Barnett	Doughty	Leonard	Roberts
Benford	Dyar	McDanal	Sellers
Bennett	Garrett	Mathison	Shelton
Brassell	George	Merrill	Still
Broadwater	Gillis	Miller	Taylor (Autauga)
Busby	Hankins	Mitchell	Thompson (Crenshaw)
Callahan	Haynes (Franklin)	Nelson	Thompson (Pike)
Coburn	Howell	Nettles	Ward
Cole	Inzer	O'Neal	Weaver
Denton	Knight	Pinkston	Wood (Washington)

—44

And the resolution, H. J. R. 17, was read and referred to the Standing Committee on Rules.

MOTION TO RECESS LOST

The motion of Mr. McGowin to recess for fifteen minutes was lost.

Yeas 32; Nays 37.

Yeas:

Messrs.:	Crocker	Harrison	Norman
Adams (Dale)	Doughty	Kaul	Pruitt
Adams (Jefferson)	Dumas	Leonard	Robinson
Beatty	Faulk	McClendon	Sadler
Bennett	Ganey	McGowin	Sellers
Brannan	Gibson	Malone	Stone
Brown	Givhan	Mason	Thagard
Buckner	Harris	Meeks	Thompson (Pike)
Bush			

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Nays:

Mr. Speaker	Dobbs (Fayette)	Knight	Pinkston
Barnett	Dyar	Larkins	Roberts
Benford	Garrett	McDanal	Shelton
Black	George	Mathison	Shirley
Brassell	Gillis	Miller	Still
Busby	Hankins	Mitchell	Taylor (Autauga)
Callahan	Haynes (Franklin)	Nelson	Thompson (Crenshaw)
Coburn	Howell	Nettles	Weaver
Cole	Inzer	O'Neal	Wood (Washington)
Denton			

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CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:00 P. M. on July 11, 1950. H. J. R. 11.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Miller, the House adjourned until Wednesday, July 12, 1950, at ten o'clock A. M.

Yeas 46; Nays 29.

Yeas:

Mr. Speaker	Denton	Inzer	Pinkston
Barnett	Dobbs (Elmore)	Knight	Roberts
Benford	Dobbs (Fayette)	Larkins	Shelton
Bennett	Doughty	McDanal	Still
Black	Dyar	Mathison	Thompson (Crenshaw)
Brassell	Evans	Merrill	Thompson (Pike)
Broadwater	Garrett	Miller	Wallace
Busby	George	Mitchell	Ward
Callahan	Gillis	Nelson	Weaver
Coburn	Hankins	Nettles	Whitcomb
Cox	Haynes (Franklin)	O'Neal	Wood (Washington)
Crocker	Howell		

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Nays:

Messrs.:	Faulk	Malone	Richardson
Adams (Dale)	Givhan	Martin	Robinson
Adams (Jefferson)	Harrison	Mason	Sadler
Beatty	Haynes (Lowndes)	Meeks	Shirley
Brannan	Ingalls	Molette	Stone
Brown	Kaul	Norman	Taylor (Hale)
Bush	Leonard	Pruitt	Thagard
Dumas	McGowin		

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FIFTH DAY

House of Representatives,
Montgomery, Alabama,
Wednesday, July 12, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend W. F. Calhoun,
Pastor, Forest Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered
to their names:

Mr. Speaker	Dumas	Larkins	Ramey
Adams (Dale)	Dyar	Lovelace	Richardson
Adams (Jefferson)	Evans	McClendon	Roberts
Barnett	Faulk	McDanal	Robinson
Beatty	Ganey	McDonald	Sadler
Benford	Garrett	McGowin	Sellers
Bennett	George	Malone	Shelton
Black	Gibson	Martin	Shirley
Brannan	Gillis	Mason	Stewart
Brassell	Givhan	Mathison	Still
Broadwater	Hankins	Meeks	Stone
Brown	Harris	Merrill	Taylor (Autauga)
Buckner	Harrison	Miller	Taylor (Hale)
Busby	Haynes (Franklin)	Mitchell	Thagard
Bush	Haynes (Lowndes)	Moiette	Thompson (Crenshaw)
Callahan	Head	Nelson	Thompson (Pike)
Coburn	Hornsby	Nettles	Wallace
Cox	Howell	Norman	Ward
Crocker	Ingalls	O'Neal	Weaver
Denton	Inzer	Pinkston	Whitcomb
Dobbs (Fayette)	Kaul	Pinson	Wood (Bibb)
Doughty	Knight	Pruitt	Wood (Washington)
Duffee			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fourth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Fourth Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Fourth Legislative Day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 13. Relative to requesting the President of the United States to order the Federal Bureau of Investigation to apprehend, fingerprint and otherwise identify, and keep under strict surveillance communists in the United States, and transmit a copy of this Resolution to the President of the United States.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Mr. Wright:

S. 32. Relating to Talladega County; proposing an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts in Talladega County, and the fees, commissions, percentages, allowances, or salary of, and the method of compensating any officer of Talladega County; ordering a special election upon the proposed amendment.

The above and foregoing bill, S. 32, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Messrs. Miller and Roberts:

H. 41. To amend Section 2 of Act No. 436, General Acts of Alabama, Page 316, entitled: "To provide for the appointment of a Chief Clerk by the Circuit Solicitor in all judicial circuits that now is or may hereafter be composed of only two counties, one of which such counties is now or may hereafter be divided into two jurisdictions or judicial divisions with the holding of the Circuit Court in each jurisdiction or judicial division of such county so divided and said Circuit having only two Judges, to fix the term of office and to prescribe the duties of said Chief Clerk and to require said Chief Clerk, in addition to his work as Chief Clerk, to do stenographic and secretarial work and investigations for said Solicitor, to fix the compensation of said Chief Clerk, to provide that said compensation shall be paid out of the General Funds of the Counties composing said judicial circuits and how the same shall be paid out of the General Funds of the Counties composing said judicial circuits and how the same shall be paid, and further provide that the board of revenue or other governing body of the county paying the larger portion of the salary may suspend from time to time the operation of this act.", approved September 25, 1947.

By Mr. McDanal:

H. 42. For the relief of Maude Mooney and to authorize and direct the Board of Revenue of Walker County, Alabama to pay to the said Maude Mooney the sum of \$2,500.00 for the death of her husband, Lacey

Mooney, resulting from injuries while employed as a truck driver for Walker County, Alabama.

By Mr. Morring:

H. 39. Relating to the compensation of the judge of the Inferior Court of any municipality in the State which has a population of not more than 15,000 and not less than 13,000 inhabitants.

By Messrs. Leonard and Ganey:

H. 40. To alter and rearrange and extend the Corporate Limits of the City of Sylacauga, Talladega County, Alabama.

The above and foregoing Bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Dumas:

H. 44. Relating to the taxation of property owned and used by colleges: To exempt from taxes all property owned and used by colleges for housing students, faculty members or other employees of such colleges, and to exempt property owned by colleges for enlargement of campus or for new campus.

Ways and Means.

By Mr. Doughty:

H. 45. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Pickens County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Pickens County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above and foregoing bill, H. 45, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Local Legislation.

By Mr. Broadwater:

H. 46. Proposing an amendment to the Constitution of Alabama relating to Limestone, Houston, and Henry counties, and ordering an election thereon.

The above and foregoing bill, H. 46, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Local Government.

BILLS ON THIRD READING

S. 3. Relating to Limestone County: To impose additional duties upon the incumbent Superintendent of Education of Limestone County, Alabama, and provide compensation for the performance of such duties.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Dyar	McClendon	Roberts
Adams (Dale)	Evans	McDanal	Robinson
Barnett	Faulk	McDonald	Sellers
Beatty	Ganey	Malone	Shelton
Benford	Garrett	Martin	Shirley
Black	George	Mason	Stewart
Brannan	Gibson	Mathison	Still
Brassell	Gillis	Meeks	Taylor (Autauga)
Broadwater	Hankins	Merrill	Taylor (Hale)
Brown	Harris	Miller	Thagard
Bush	Haynes (Franklin)	Mitchell	Thompson (Crenshaw)
Callahan	Head	Nettles	Thompson (Pike)
Coburn	Hornsby	O'Neal	Wallace
Denton	Howell	Pinson	Weaver
Dobbs (Fayette)	Knight	Ramey	Wood (Washington)
Doughty	Larkins	Richardson	

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And the Bill:

S. 33. Relating to Tuscaloosa County: To authorize the employment of a stenographic secretary by the Judge of the Inferior Court of Tuscaloosa County, and authorizing the payment of the salary of such stenographic secretary out of the Treasury of Tuscaloosa County.

Was read a third time at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Dumas	Knight	Roberts
Adams (Dale)	Dyar	Larkins	Sellers
Beatty	Evans	McClendon	Shelton
Benford	Faulk	McDanal	Shirley
Black	Ganey	McDonald	Stewart
Brannan	Garrett	Martin	Still
Broadwater	George	Mason	Taylor (Autauga)
Brown	Gibson	Mathison	Taylor (Hale)
Callahan	Hankins	Meeks	Thompson (Crenshaw)
Coburn	Harris	Merrill	Thompson (Pike)
Cox	Haynes (Franklin)	Miller	Wallace
Crocker	Haynes (Lowndes)	Mitchell	Ward
Denton	Head	Nettles	Weaver
Dobbs (Fayette)	Hornsby	O'Neal	Wood (Washington)
Doughty	Howell	Richardson	

—59

And the bill:

H. 28. To propose and provide for the submission of an amendment to the constitution of Alabama, to empower and authorize each municipality in Winston County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Winston County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Was taken up.

Mr. Weaver offered the following amendment to the bill, H. 28:

Amend House Bill 28 by striking therefrom the first sentence of Section 2 and inserting in lieu thereof the following sentence:

"An election upon the proposed amendment is ordered to be held at the time of the next general election following the final adjournment of the present session of the Legislature of Alabama."

And the amendment was adopted.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Ganey	McDanal	Roberts
Adams (Dale)	Garrett	McDonald	Robinson
Beatty	George	Martin	Sellers
Benford	Gibson	Mathison	Shelton
Black	Hankins	Meeks	Shirley
Brannan	Harris	Merrill	Stewart
Brassell	Harrison	Miller	Still
Broadwater	Haynes (Franklin)	Mitchell	Stone
Brown	Haynes (Lowndes)	Molette	Thompson (Pike)
Callahan	Head	Nettles	Wallace
Coburn	Hornsby	O'Neal	Ward
Cox	Howell	Pinson	Weaver
Denton	Knight	Ramey	Wood (Bibb)
Dobbs (Fayette)	Larkins	Richardson	Wood (Washington)
Dyar	McClendon		

—58

And the bill, H. 28, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dyar	McClendon	Roberts
Adams (Dale)	Evans	McDanal	Robinson
Beatty	Ganey	McDonald	Sellers
Benford	Garrett	Martin	Shelton
Black	George	Mason	Shirley
Brannan	Gibson	Mathison	Stewart
Brassell	Gillis	Meeks	Still
Broadwater	Givhan	Merrill	Taylor (Hale)
Brown	Hankins	Miller	Thagard
Bush	Haynes (Franklin)	Mitchell	Thomas
Callahan	Haynes (Lowndes)	Molette	Thompson (Crenshaw)
Coburn	Head	Nettles	Thompson (Pike)
Cox	Hornsby	O'Neal	Wallace
Crocker	Howell	Pinkston	Ward
Denton	Ingalls	Pinson	Weaver
Dobbs (Fayette)	Kaul	Pruitt	Whitcomb
Doughty	Knight	Ramey	Wood (Bibb)
Duffee	Lovelace	Richardson	Wood (Washington)

—72

And the bill:

H. 36. To define, regulate and license barbers and barber colleges, and other like businesses in Cullman County, Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Duffee	McDonald	Shelton
Adams (Dale)	Dyar	Martin	Shirley
Beatty	Ganey	Mason	Stewart
Benford	Garrett	Mathison	Still
Black	Gibson	Merrill	Stone
Brannan	Hankins	Miller	Taylor (Hale)
Brassell	Harris	Mitchell	Thagard
Broadwater	Haynes (Franklin)	Molette	Thomas
Brown	Haynes (Lowndes)	Nettles	Thompson (Crenshaw)
Buckner	Head	O'Neal	Thompson (Pike)
Callahan	Hornsby	Pinson	Wallace
Coburn	Howell	Pruitt	Ward
Cox	Kaul	Ramey	Weaver
Crocker	Knight	Richardson	Whitcomb
Denton	Larkins	Roberts	Wood (Bibb)
Dobbs (Fayette)	McClendon	Robinson	Wood (Washington)
Doughty	McDanal	Sellers	

—67

And the bill:

S. 26. To Propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Marion County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Marion County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doughty	Knight	Roberts
Adams (Dale)	Dyar	Larkins	Robinson
Adams (Jefferson)	Evans	McClendon	Sellers
Beatty	Ganey	McDanal	Shelton
Benford	Garrett	McDonald	Shirley
Black	George	Martin	Stewart
Brannan	Gibson	Mason	Still
Brassell	Gillis	Mathison	Stone
Broadwater	Givhan	Merrill	Taylor (Hale)
Brown	Hankins	Miller	Thagard
Buckner	Harris	Mitchell	Thompson (Crenshaw)
Busby	Haynes (Franklin)	Molette	Thompson (Pike)
Bush	Haynes (Lowndes)	Nettles	Wallace
Callahan	Head	O'Neal	Ward
Coburn	Hornsby	Pinson	Weaver
Cox	Howell	Pruitt	Whitcomb
Crocker	Ingalls	Ramey	Wood (Bibb)
Denton	Kaul	Richardson	Wood (Washington)
Dobbs (Fayette)			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Rules Committee:

S. J. R. 16. WHEREAS, the pending proposals for reapportionment contemplate making any measure adopted effective in 1954 and

WHEREAS, there will be two regular sessions of the Legislature between now and then in 1951 and 1953, and

WHEREAS, it thus appears that any "emergency" which may exist in regard to legislative representation could not be remedied under four years and no real emergency exists, and

WHEREAS, any further prolongation of this special session will be an unnecessary waste of public funds,

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House concurring, that the Senate and House adjourn sine die.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The motion of Mr. Harris to suspend the rules in order to place the resolution, S. J. R. 16, set out in the above and foregoing Message from the Senate, for immediate adoption, was lost.

Yeas 38; Nays 38.

Yeas:

Messrs.:	Faulk	McClendon	Richardson
Adams (Dale)	Ganey	McDonald	Robinson
Beatty	Gibson	McGowin	Sadler
Brannan	Givhan	Malone	Sellers
Broadwater	Harris	Martin	Stewart
Brown	Harrison	Mason	Stone
Bush	Haynes (Lowndes)	Meeks	Taylor (Hale)
Crocker	Hornsby	Norman	Thagard
Duffee	Ingalls	Pinson	Ward
Dumas	Kaul	Pruitt	

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Nays:

Mr. Speaker	Dobbs (Fayette)	Larkins	Shelton
Barnett	Doughty	McDanal	Shirley
Benford	Dyar	Mathison	Still
Black	Evans	Merrill	Taylor (Autauga)
Brassell	George	Miller	Thompson (Crenshaw)
Busby	Gillis	Mitchell	Thompson (Pike)
Callahan	Hankins	Nettles	Weaver
Coburn	Haynes (Franklin)	O'Neal	Whitcomb
Cox	Howell	Roberts	Wood (Washington)
Denton	Knight		

—38

PAIR ANNOUNCED

Mr. Molette announced that he was paired with Mr. Cole. If Mr. Cole were present he would vote "Nay" and Mr. Molette would vote "Yea."

And the resolution, S. J. R. 16 was read and referred to the Standing Committee on Rules.

MOTION IN WRITING

Mr. Haynes of Franklin offered the following motion in writing:

That the House of Representatives recess until ten o'clock Thursday July 13, 1950.

Mr. Harris offered the following amendment to the motion in writing by Mr. Haynes of Franklin:

Amend House Motion by Mr. Haynes by striking "ten o'clock Thursday July 13, 1950" and inserting in lieu thereof the words "2:30 P. M. today"

The motion of Mr. Haynes of Franklin to lay on the table the amendment offered by Mr. Harris, was lost.

Yeas 39; Nays 44.

Yeas:

Mr. Speaker	Denton	Howell	Roberts
Benford	Dobbs (Fayette)	Knight	Still
Bennett	Doughty	McDanal	Taylor (Autauga)
Black	Dyar	McDonald	Thompson (Crenshaw)
Brassell	Evans	Mathison	Wallace
Buckner	Garrett	Merrill	Weaver
Busby	George	Miller	Whitcomb
Bush	Gillis	Mitchell	Wood (Bibb)
Coburn	Hankins	Nettles	Wood (Washington)
Cox	Haynes (Franklin)	O'Neal	

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Nays:

Messrs.:	Ganey	McClendon	Robinson
Adams (Dale)	Gibson	McGowin	Sadler
Barnett	Givhan	Malone	Sellers
Beatty	Harris	Martin	Shelton
Brannan	Harrison	Mason	Shirley
Broadwater	Haynes (Lowndes)	Meeks	Stewart
Brown	Head	Norman	Stone
Callahan	Hornsby	Pinson	Taylor (Hale)
Crocker	Ingalls	Pruitt	Thagard
Duffee	Kaul	Ramey	Thompson (Pike)
Dumas	Larkins	Richardson	Ward
Faulk			

—44

PAIR ANNOUNCED

Mr. Molette announced that he was paired with Mr. Cole. If Mr. Cole were present he would vote "Yea" and Mr. Molette would vote "Nay."

And the amendment was adopted.

Yeas 47; Nays 32.

Yeas:

Messrs.:	Bush	Gibson	Howell
Adams (Dale)	Callahan	Givhan	Ingalls
Adams (Jefferson)	Crocker	Harris	Kaul
Beatty	Duffee	Harrison	Knight
Brannan	Dumas	Haynes (Lowndes)	Larkins
Broadwater	Faulk	Head	McClendon
Brown	Ganey	Hornsby	McDonald

McGowin	Norman	Sadler	Taylor (Hale)
Malone	Pinson	Sellers	Thagard
Martin	Pruitt	Shelton	Thompson (Pike)
Mason	Richardson	Stewart	Ward
Meeks	Robinson	Stone	Whitcomb

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Nays:

Mr. Speaker	Denton	Haynes (Franklin)	Shirley
Barnett	Dobbs (Fayette)	Mathison	Still
Benford	Doughty	Merrill	Taylor (Autauga)
Bennett	Dyar	Miller	Thompson (Crenshaw)
Brassell	Evans	Mitchell	Wallace
Busby	Garrett	Nettles	Weaver
Coburn	George	O'Neal	Wood (Bibb)
Cox	Hankins	Roberts	Wood (Washington)

—32

PAIR ANNOUNCED

Mr. Molette announced that he was paired with Mr. Cole. If Mr. Cole were present he would vote "Yea" and Mr. Molette would vote "Nay."

And the motion in writing by Mr. Haynes of Franklin, as thus amended, was adopted.

RECESS

Pursuant to the above and foregoing motion in writing, the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock having arrived, the House reconvened.

MOTION IN WRITING

Mr. Wood of Washington offered the following motion in writing:

That the House recess until 12 o'clock M Thursday, July 13.

And the motion in writing offered by Mr. Wood of Washington was lost.

Yeas 34; Nays 42.

Yeas:

Mr. Speaker	Denton	Knight	O'Neal
Adams (Jefferson)	Dobbs (Fayette)	Larkins	Roberts
Benford	Doughty	McDanal	Shelton
Brassell	Evans	McDonald	Still
Bush	Garrett	Miller	Thompson (Crenshaw)
Callahan	Gillis	Mitchell	Weaver
Coburn	Hankins	Nelson	Whitcomb
Cox	Haynes (Franklin)	Nettles	Wood (Washington)
Crocker	Howell		

—34

Nays:

Messrs.:	Black	Brown	Dyar
Adams (Dale)	Brannan	Duffee	Faulk
Beatty	Broadwater	Dumas	Ganey

George	Ingalls	Pinson	Stewart
Gibson	Kaul	Pruitt	Stone
Givhan	McGowin	Ramey	Taylor (Hale)
Harris	Martin	Richardson	Thagard
Harrison	Meeks	Robinson	Thompson (Pike)
Haynes (Lowndes)	Merrill	Sadler	Wallace
Head	Molette	Sellers	Ward
Hornsby	Norman	Shirley	

—42

RESOLUTION

The following resolution was introduced:

By Mr. Harris:

H. J. R. 18. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn Thursday, July 13, 1950, they adjourn sine die.

The motion of Mr. Harris to suspend the rules in order to place the resolution for immediate adoption, was lost.

Yeas 42; Nays 33.

Yeas:

Messrs.:	Faulk	Howell	Pruitt
Adams (Dale)	Ganey	Kaul	Ramey
Adams (Jefferson)	Garrett	Larkins	Richardson
Barnett	George	McClendon	Robinson
Beatty	Gibson	McGowin	Sadler
Brannan	Givhan	Martin	Sellers
Broadwater	Harris	Meeks	Stewart
Brown	Harrison	Merrill	Taylor (Hale)
Crocker	Haynes (Lowndes)	Molette	Thagard
Duffee	Head	Norman	Ward
Dumas	Hornsby	Pinson	

—42

Nays:

Mr. Speaker	Dobbs (Fayette)	McDanal	Still
Benford	Doughty	McDonald	Stone
Black	Dyar	Miller	Thompson (Crenshaw)
Brassell	Evans	Mitchell	Thompson (Pike)
Bush	Hankins	Nelson	Wallace
Callahan	Haynes (Franklin)	O'Neal	Weaver
Coburn	Ingalls	Roberts	Whitcomb
Cox	Knight	Shelton	Wood (Washington)
Denton			

—33

And the resolution, H. J. R. 18, was read and referred to the Standing Committee on Rules.

RECESS

The motion of Mr. Harris to recess for fifteen minutes was adopted.

Yeas 43; Nays 32.

Yeas:

Messrs.:	Broadwater	Ganey	Haynes (Lowndes)
Adams (Dale)	Brown	George	Head
Adams (Jefferson)	Duffee	Gibson	Hornsby
Barnett	Dumas	Givhan	Howell
Beatty	Dyar	Harris	Ingalls
Brannan	Faulk	Harrison	Kaul

Knight	Merrill	Richardson	Stone
McClendon	Molette	Robinson	Taylor (Hale)
McGowin	Norman	Sadler	Thagard
Martin	Pinson	Sellers	Thompson (Pike)
Meeks	Pruitt	Stewart	Ward

—43

Nays:

Mr. Speaker	Cox	Haynes (Franklin)	Nettles
Benford	Denton	Larkins	O'Neal
Black	Dobbs (Fayette)	Lovelace	Shelton
Brassell	Doughty	McDanal	Still
Busby	Evans	McDonald	Thompson (Crenshaw)
Bush	Garrett	Miller	Wallace
Callahan	Gillis	Mitchell	Weaver
Coburn	Hankins	Nelson	Wood (Washington)

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CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:10 P. M. on July 12, 1950. H. J. R. 13.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

By Mr. Harris:

H. J. R. 18. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn Thursday, July 13, 1950, they adjourn sine die.

And the resolution, H. J. R. 18, was read and placed on the Calendar.

MOTION TO ADJOURN LOST

The motion of Mr. Roberts to adjourn until twelve o'clock noon July 13, 1950, was lost.

Yeas 37; Nays 38.

Yeas:

Mr. Speaker	Dobbs (Elmore)	Haynes (Franklin)	Nettles
Benford	Dobbs (Fayette)	Howell	O'Neal
Bennett	Doughty	Knight	Ramey
Black	Dyar	Larkins	Roberts
Brassell	Evans	McDanal	Shelton
Buckner	Ganey	McDonald	Still
Busby	Garrett	Miller	Weaver
Coburn	George	Mitchell	Whitcomb
Cox	Hankins	Nelson	Wood (Washington)
Denton			

—37

Nays:

Messrs.:	Brannan	Dumas	Harrison
Adams (Dele)	Brown	Faulk	Haynes (Lowndes)
Adams (Jefferson)	Bush	Gibson	Hornsby
Barnett	Crocker	Givhan	Ingalls
Beatty	Duffee	Harris	Kaul

McClendon	Molette	Robinson	Stone
McGowin	Norman	Sadler	Taylor (Hale)
Malone	Pinson	Sellers	Thagard
Martin	Pruitt	Shirley	Ward
Meeks	Richardson	Stewart	

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BILLS ON THIRD READING RESUMED

(with substitute):

H. 11. Proposing an Amendment to the Constitution of Alabama.

Was taken up and the substitute was read.

ADJOURNMENT

On motion of Mr. Whitcomb, the House adjourned until Thursday, July 13, 1950, at ten o'clock A. M.

Yeas 42; Nays 38.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Howell	O'Neal
Barnett	Doughty	Knight	Roberts
Benford	Dyar	Larkins	Shelton
Bennett	Evans	McDanal	Still
Black	Ganey	McDonald	Thompson (Crenshaw)
Brassell	Garrett	Merrill	Thompson (Pike)
Busby	George	Miller	Wallace
Callahan	Gillis	Mitchell	Weaver
Coburn	Hankins	Nelson	Whitcomb
Cox	Haynes (Franklin)	Nettles	Wood (Washington)
Denton	Head		

—42

Nays:

Messrs.:	Faulk	McGowin	Robinson
Adams (Dale)	Gibson	Malone	Sadler
Adams (Jefferson)	Givhan	Martin	Sellers
Beatty	Harris	Meeks	Shirley
Brannan	Harrison	Molette	Stewart
Brown	Haynes (Lowndes)	Norman	Stone
Bush	Hornsby	Pinson	Taylor (Hale)
Crocker	Ingalls	Pruitt	Thagard
Duffee	Kaul	Ramey	Ward
Dumas	McClendon	Richardson	

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SIXTH DAY

House of Representatives,
Montgomery, Alabama,
Thursday, July 13, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Cecil B. Lawter, Pastor, Memorial Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dyar	McDanal	Robinson
Adams ^(Dale)	Faulk	McDonald	Sadler
Adams ^(Jefferson)	Ganey	McGowin	Sellers
Barnett	Garrett	Malone	Shelton
Beatty	George	Martin	Shirley
Benford	Gibson	Mason	Still
Bennett	Gillis	Mathison	Stone
Black	Givhan	Meeks	Sullivan
Brassell	Hankins	Merrill	Taylor ^(Autauga)
Brown	Harris	Miller	Taylor ^(Hale)
Buckner	Harrison	Mitchell	Thagard
Busby	Haynes ^(Franklin)	Molette	Thomas
Bush	Haynes ^(Lowndes)	Morring	Thompson ^(Crenshaw)
Callahan	Head	Nettles	Thompson ^(Pike)
Coburn	Hornsby	Norman	Tucker
Cole	Howell	O'Neal	Wallace
Cox	Ingalls	Pinkston	Ward
Crocker	Kaul	Pinson	Weaver
Denton	Knight	Pruitt	Whitcomb
Dobbs ^(Fayette)	Larkins	Ramey	White ^(Perry)
Doughty	Leonard	Richardson	Wood ^(Bibb)
Duffee	Lovelace	Roberts	Wood ^(Washington)
Dumas	McClendon		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fifth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Fifth Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Fifth Legislative Day was approved.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Mr. Perry:

S. 35. To propose an amendment to the Constitution of Alabama fixing the terms of office and regulating the fees, commissions, allowances, and salaries of certain officers of Marengo County; and ordering an election upon the proposed amendment to be held on the date of the general election next succeeding the final adjournment of the present session of the Legislature.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Mr. Doughty:

H. 45. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Pickens County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Pickens Coun-

ty and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above and foregoing bills, S. 35 and H. 45, each proposing an amendment to the Constitution, were severally read at length a second time and placed on the Calendar.

BILLS ON THIRD READING

S. 32. Relating to Talladega County; proposing an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts in Talladega County, and the fees, commissions, percentages, allowances, or salary of, and the method of compensating any officer of Talladega County; ordering a special election upon the proposed amendment.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Gibson	McDonald	Robinson
Adams (Dale)	Gillis	McGowin	Sadler
Beatty	Givhan	Malone	Sellers
Benford	Hankins	Martin	Shirley
Bennett	Harrison	Mason	Still
Black	Haynes (Franklin)	Mathison	Stone
Brassell	Haynes (Lowndes)	Meeks	Taylor (Autauga)
Brown	Head	Merrill	Taylor (Hale)
Bush	Hornsby	Miller	Thagard
Coburn	Howell	Mitchell	Thompson (Crenshaw)
Cole	Ingalls	Molette	Thompson (Pike)
Crocker	Kaul	Morring	Tucker
Dobbs (Fayette)	Knight	Nettles	Wallace
Doughty	Larkins	Pinkston	Ward
Duffee	Leonard	Pruitt	Weaver
Dumas	Lovelace	Ramey	Whitcomb
Dyar	McClendon	Richardson	White (Perry)
Ganey	McDanal	Roberts	Wood (Washington)
George			

—73

And the bill:

H. 40. To alter and rearrange and extend the Corporate Limits of the City of Sylacauga, Talladega County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Benford	Buckner	Cox
Adams (Dale)	Bennett	Bush	Crocker
Adams (Jefferson)	Black	Coburn	Denton
Beatty	Brassell	Cole	Dobbs (Fayette)

Doughty	Haynes (Lowndes)	Merrill	Still
Duffee	Head	Miller	Stone
Dumas	Hornsby	Mitchell	Sullivan
Dyar	Howell	Molette	Taylor (Autauga)
Faulk	Knight	Morring	Taylor (Hale)
Ganey	Larkins	Nettles	Thomas
Garrett	Leonard	Pinson	Thompson (Crenshaw)
George	Lovelace	Pruitt	Thompson (Pike)
Gibson	McClendon	Ramey	Tucker
Gillis	McDanal	Richardson	Wallace
Givhan	Malone	Roberts	Weaver
Hankins	Martin	Robinson	White (Perry)
Harris	Mason	Sellers	Wood (Bibb)
Harrison	Mathison	Shirley	Wood (Washington)
Haynes (Franklin)	Meeks		

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And the bill:

H. 41. To amend Section 2 of Act No. 436, General Acts of Alabama, Page 316, entitled: "To provide for the appointment of a Chief Clerk by the Circuit Solicitor in all judicial circuits that now is or may hereafter be composed of only two counties, one of which such counties is now or may hereafter be divided into two jurisdictions or judicial divisions with the holding of the Circuit Court in each jurisdiction or judicial division of such county so divided and said Circuit having only two Judges, to fix the term of office and to prescribe the duties of said Chief Clerk and to require said Chief Clerk, in addition to his work as Chief Clerk, to do stenographic and secretarial work and investigations for said Solicitor, to fix the compensation of said Chief Clerk, to provide that said compensation shall be paid out of the General Funds of the Counties composing said judicial circuits and how the same shall be paid out of the General Funds of the Counties composing said judicial circuits and how the same shall be paid, and further provide that the board of revenue or other governing body of the county paying the larger portion of the salary may suspend from time to time the operation of this act.", approved September 25, 1947.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Ganey	McDanal	Robinson
Adams (Dale)	Garrett	McDonald	Sellers
Adams (Jefferson)	George	Malone	Shirley
Benford	Gibson	Martin	Still
Bennett	Gillis	Mason	Stone
Black	Givhan	Mathison	Taylor (Autauga)
Brassell	Hankins	Meeks	Taylor (Hale)
Buckner	Harrison	Merrill	Thomas
Bush	Haynes (Franklin)	Miller	Thompson (Crenshaw)
Coburn	Haynes (Lowndes)	Mitchell	Thompson (Pike)
Cole	Hornsby	Molette	Tucker
Cox	Howell	Morring	Wallace
Denton	Knight	Pinson	Ward
Dobbs (Fayette)	Larkins	Pruitt	Weaver
Duffee	Leonard	Ramey	White (Perry)
Dyar	Lovelace	Richardson	Wood (Bibb)
Faulk	McClendon	Roberts	Wood (Washington)

—68

And the bill:

H. 42. For the relief of Maude Mooney and to authorize and direct the Board of Revenue of Walker County, Alabama to pay to the said Maude Mooney the sum of \$2,500.00 for the death of her husband, Lacey Mooney, resulting from injuries while employed as a truck driver for Walker County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dyar	Malone	Sellers
Adams (Dale)	Faulk	Martin	Shirley
Adams (Jefferson)	George	Mason	Still
Benford	Gibson	Mathison	Stone
Bennett	Gillis	Meeks	Taylor (Autauga)
Black	Givhan	Merrill	Taylor (Hale)
Brassell	Hankins	Miller	Thagard
Brown	Haynes (Franklin)	Mitchell	Thomas
Buckner	Haynes (Lowndes)	Molette	Thompson (Crenshaw)
Bush	Hornsby	Morring	Thompson (Pike)
Coburn	Howell	Nettles	Tucker
Cole	Knight	Pinson	Wallace
Cox	Larkins	Pruitt	Ward
Crocker	Leonard	Ramey	Weaver
Denton	Lovelace	Richardson	White (Perry)
Dobbs (Fayette)	McClendon	Roberts	Wood (Bibb)
Doughty	McDanal	Robinson	Wood (Washington)
Duffee	McDonald	Sadler	

—71

And the bill:

H. 39. Relating to the compensation of the judge of the Inferior Court of any municipality in the State which has a population of not more than 15,000 and not less than 13,000 inhabitants.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Faulk	McGowin	Robinson
Adams (Dale)	Garrett	Malone	Sellers
Benford	George	Martin	Shelton
Bennett	Gillis	Mason	Shirley
Black	Givhan	Mathison	Still
Brassell	Hankins	Meeks	Stone
Brown	Haynes (Franklin)	Merrill	Taylor (Autauga)
Buckner	Haynes (Lowndes)	Miller	Taylor (Hale)
Bush	Hornsby	Mitchell	Thagard
Coburn	Howell	Molette	Thomas
Cole	Ingalls	Morring	Thompson (Crenshaw)
Cox	Knight	Nettles	Thompson (Pike)
Crocker	Larkins	Pinkston	Tucker
Denton	Leonard	Pinson	Wallace
Dobbs (Fayette)	Lovelace	Pruitt	Ward
Doughty	McClendon	Ramey	Weaver
Duffee	McDanal	Richardson	White (Perry)
Dyar	McDonald	Roberts	Wood (Bibb)

— 72

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 3. Relating to Limestone County: To impose additional duties upon the incumbent Superintendent of Education of Limestone County, Alabama, and provide compensation for the performance of such duties.

Also:

S. 26. To Propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Marion County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Marion County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Also:

S. 33. Relating to Tuscaloosa County: To authorize the employment of a stenographic secretary by the Judge of the Inferior Court of Tuscaloosa County, and authorizing the payment of the salary of such stenographic secretary out of the Treasury of Tuscaloosa County.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested.

S. J. R. 15. Relative to: The deporting of all Communists in the United States who are deportable.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 10. To amend Section 298 of Title 52 of the Code of Alabama (1940), which relates to the minimum age at which children may attend school.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 10. To amend Section 298 of Title 52 of the Code of Alabama (1940), which relates to the minimum age at which children may attend school.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 32. Relating to Talladega County; proposing an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts in Talladega County, and the fees, commissions, percentages, allowances, or salary of, and the method of compensating any officer of Talladega County; ordering a special election upon the proposed amendment.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business, which was the bill:

H. 11. (with substitute): Proposing an Amendment to the Constitution of Alabama.

The question was upon the adoption of the substitute reported by the Standing Committee on Constitutions and Elections, said Committee substitute being as follows:

A BILL

To Be Entitled An Act Proposing an amendment to the Constitution of Alabama relating to legislative representation.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor, to wit:

"The Senate of Alabama shall consist of one senator from each county, and the House of Representatives shall consist of not more than one hundred six members, to be apportioned among the several counties as prescribed herein; provided that in addition to the above number of representatives, each new county hereafter created shall be entitled to one representative.

"Until an apportionment of representatives among the several counties is made as provided herein, representatives shall be apportioned among the several counties of the state, according to the number of inhabitants in them as ascertained by the 1950 federal census, as follows: Jefferson County shall have fourteen representatives; Mobile County shall have six representatives; Montgomery County shall have four representatives; Etowah and Tuscaloosa counties shall have three representatives each; Baldwin, Calhoun, Covington, Cullman, Dallas, DeKalb, Houston, Lauderdale, Lee, Madison, Marshall, Morgan, Russell, Talladega, and Walker counties shall have two representatives each; and each of the remaining counties shall have one representative.

"After the publication of the federal census in 1960, and every ten years thereafter, it shall be the duty of the Governor, the Secretary of State, and the Attorney General, or a majority of them, to make an apportionment of the membership of the House of Representatives in accordance with the following provisions:

"1. It shall be the duty of the Board of Apportionment to meet upon the call of the Governor, within ninety days after the publication of each federal census, and apportion the membership of the House of Representatives, in the number as then provided by law, among the several counties of the State according to the number of inhabitants in them as ascertained by said census.

"2. Immediately after having made the apportionment, the Board of Apportionment shall file a written report with the Secretary of State, setting forth the number of Representatives apportioned to each county; and the Governor shall immediately publish the report of the Board by proclamation. The apportionment shall become effective and final ninety (90) days from the date of the Governor's proclamation, unless proceedings for review and revision of the apportionment shall have then been instituted in the Supreme Court. Any apportionment so made by the Board of Apportionment shall not be subject to alteration, either by the Legislature or by the Board of Apportionment, until ninety days after publication of the next decennial census of the United States. New counties created after an apportionment shall be entitled to one representative until the next apportionment.

"3. Upon application of any qualified elector, in the name of the State, without the necessity of obtaining the consent of any of the officers or officials of the State, the Supreme Court of Alabama shall compel the Board of Apportionment to perform its duties, and the Court may review and revise any action of the Board of Apportionment which it regards as

arbitrary or an abuse of discretion. Any application for review and revision shall be filed in the Supreme Court within ninety (90) days after the proclamation by the Governor publishing the report of the Board of Apportionment. If any report of the Board of Apportionment is revised by the Supreme Court, a certified copy of the judgment shall be transmitted by the Clerk of the Supreme Court to the Secretary of State. The revised report shall become effective immediately. It shall be the duty of the Governor to publish such report by proclamation.

"The senators and representatives provided for herein shall be elected by the qualified electors of the several counties at the general election of 1954 and every fourth year thereafter.

"Any provision of this Constitution which conflicts with the provisions hereof is superseded and repealed."

Section 2. An election upon the proposed Amendment is ordered to be held at the general election next succeeding this session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Alabama Code of 1940.

Section 3. Notice of the election and of the proposed Amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in every county of the State in which a newspaper is published, and in every county in which no newspaper is published a copy of such notice shall be posted at the courthouse for four successive weeks next preceding the day appointed for the election.

And the substitute was adopted.

Yeas 48; Nays 40.

Yeas:

Mr. Speaker	Denton	Knight	Nettles
Barnett	Dobbs (Fayette)	Larkins	Norman
Benford	Doughty	Leonard	O'Neal
Bennett	Dyar	Lovelace	Pinkston
Black	Ganey	McDanal	Roberts
Brassell	Garrett	McDonald	Shelton
Buckner	George	Malone	Taylor (Autauga)
Bush	Hankins	Mathison	Taylor (Hale)
Callahan	Harris	Merrill	Thompson (Crenshaw)
Coburn	Haynes (Franklin)	Miller	Weaver
Cole	Head	Mitchell	Wood (Bibb)
Cox	Ingalls	Nelson	Wood (Washington)

—48

Nays:

Messrs.:	Harrison	Molette	Stone
Adams (Dale)	Haynes (Lowndes)	Pinson	Sullivan
Adams (Jefferson)	Hornsby	Pruitt	Thagard
Beatty	Howell	Ramey	Thomas
Brown	Kaul	Richardson	Thompson (Pike)
Crocker	McClendon	Robinson	Tucker
Duffee	McGowin	Sadler	Wallace
Dumas	Martin	Sellers	Ward
Faulk	Mason	Shirley	Whitcomb
Gibson	Meeks	Still	White (Perry)
Givhan			

—40

Mr. Howell offered the following amendment to the bill, H. 11, as amended:

Amend House Bill 11 by striking therefrom Paragraph 2 of the amendment proposed therein and substituting in lieu thereof the following:

"2. The membership of the House of Representatives shall be apportioned among the several counties of the State, according to the number of inhabitants in them as ascertained by the 1950 or any subsequent federal census, as follows: each county having a population of 40,000 or less shall have one representative; each county having a population of more than 40,000 but not more than 75,000 shall have two representatives; each county having a population of more than 75,000 but not more than 115,000 shall have three representatives; each county having a population of more than 115,000 but not more than 150,000 shall have four representatives; each county having a population of more than 150,000 but not more than 185,000 shall have five representatives; each county having a population of more than 185,000 but not more than 220,000 shall have six representatives; each county having a population of more than 220,000 but not more than 255,000 shall have seven representatives; each county having a population of more than 255,000 but not more than 290,000 shall have eight representatives; each county having a population of more than 290,000 shall have one representative for the first 40,000 and an additional representative for each 35,000 or major fractional part thereof."

The motion of Mr. Robinson to indefinitely postpone consideration of the bill, H. 11, as amended, and all pending amendments, was lost.

Yeas 33; Nays 51.

Yeas:

Messrs.:	Gibson	Molette	Stone
Adams (Dale)	Givhan	Norman	Sullivan
Adams (Jefferson)	Harrison	Pinson	Taylor (Hale)
Beatty	Haynes (Lowndes)	Pruitt	Thagard
Brown	Ingalls	Ramey	Tucker
Crocker	Kaul	Robinson	Ward
Duffee	McGowin	Sadler	Whitcomb
Dumas	Mason	Sellers	White (Perry)
Faulk	Meeks		

—33

Nays:

Mr. Speaker	Doughty	Leonard	Pinkston
Barnett	Dyar	Lovelace	Richardson
Benford	Ganey	McDanal	Roberts
Bennett	George	McDonald	Shelton
Black	Gillis	Malone	Still
Buckner	Hankins	Martin	Taylor (Autauga)
Bush	Harris	Mathison	Thomas
Callahan	Haynes (Franklin)	Merrill	Thompson (Crenshaw)
Coburn	Head	Miller	Wallace
Cole	Hornsby	Mitchell	Weaver
Cox	Howell	Nelson	Wood (Bibb)
Denton	Knight	Nettles	Wood (Washington)
Dobbs (Fayette)	Larkins	O'Neal	

—51

On motion of Mr. Roberts, the amendment offered by Mr. Howell was laid upon the table.

Yeas 71; Nays 7.

Yeas:

Mr. Speaker	Black	Coburn	Denton
Adams (Jefferson)	Brassell	Cole	Dobbs (Fayette)
Beatty	Buckner	Cox	Doughty
Benford	Bush	Crocker	Duffee

Dyar	Kaul	Morring	Still
Faulk	Knight	Nelson	Taylor (Autauga)
Ganey	Larkins	Nettles	Taylor (Hale)
Garrett	McClendon	Norman	Thagard
George	McDonal	Pinkston	Thomas
Gibson	McDonald	Pinson	Thompson (Crenshaw)
Hankins	McGowin	Pruitt	Thompson (Pike)
Harris	Malone	Ramey	Wallace
Harrison	Martin	Richardson	Ward
Haynes (Franklin)	Mason	Roberts	Whitcomb
Haynes (Lowndes)	Mathison	Robinson	White (Perry)
Head	Merrill	Sadler	Wood (Bibb)
Hornsby	Miller	Sellers	Wood (Washington)
Ingalls	Mitchell	Shelton	

—71

Nays:

Messrs.:	Bennett	Meeks	Stone
Barnett	Howell	O'Neal	Tucker

—7

Mr. Wallace offered the following substitute to the bill, H. 11, as amended:

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one senator from each county; and ordering an election upon the proposed amendment to be held on the date of the general election next succeeding the final adjournment of the present session of the Legislature.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

Amendment

"The Senate of Alabama shall be composed of one senator from each county, who shall be elected by the qualified electors for terms of four years. Those senators elected at the general election of 1950 shall serve as senators from the counties in which they reside. A senator from each of the other counties shall be elected at a special election to be held thirty days from the date of the election upon this Amendment and their terms shall expire at the same time as the terms of those senators elected at the general election of 1950."

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

RESOLUTION

The following resolution was introduced:

By Mr. Miller:

H. J. R. 19. Be it resolved by the House, the Senate concurring, that H. B. 10 which has passed both Houses be known as the Miller-Gulledge Bill.

On motion of Mr. Miller the rules were suspended and H. J. R. 19 was adopted.

CONSIDERATION OF H. 11 RESUMED

On motion of Mr. Roberts, the substitute offered by Mr. Wallace to the bill, H. 11, as amended, was laid upon the table.

Yeas 66; Nays 11.

Yeas:

Messrs.:	Dyar	McGowin	Robinson
Barnett	Faulk	Malone	Sadler
Beatty	Garrett	Martin	Sellers
Benford	George	Mason	Shelton
Bennett	Gibson	Meeks	Shirley
Brassell	Givhan	Mitchell	Taylor (Autauga)
Brown	Hankins	Molette	Taylor (Hale)
Buckner	Harris	Nelson	Thagard
Bush	Harrison	Nettles	Thomas
Callahan	Haynes (Lowndes)	Norman	Thompson (Crenshaw)
Cole	Hornsby	O'Neal	Thompson (Pike)
Crocker	Howell	Pinkston	Weaver
Denton	Ingalls	Pinson	Whitcomb
Dobbs (Fayette)	Kaul	Pruitt	White (Perry)
Doughty	Larkins	Ramey	Wood (Bibb)
Duffee	McClendon	Richardson	Wood (Washington)
Dumas	McDonald	Roberts	—66

Nays:

Mr. Speaker	Gillis	Miller	Tucker
Adams (Dale)	Head	Still	Wallace
Coburn	Knight	Stone	—11

Mr. Brassell offered the following amendment to the bill, H. 11, as amended:

Amend H. B. 11 as amended by striking the fourth, fifth, sixth, and seventh paragraphs of Section 1 thereof and inserting in lieu thereof the following:

"After the publication of the federal census in 1960, and every ten years thereafter, it shall be the duty of the Legislature to apportion the membership of the House of Representatives, in the number as then provided by law, among the several counties of the State according to the number of inhabitants in them as ascertained by said census."

And the amendment was adopted.

Yeas 52; Nays 29.

Yeas:

Mr. Speaker	Bush	Dobbs (Fayette)	Hankins
Beatty	Callahan	Doughty	Harris
Benford	Coburn	Dyar	Haynes (Franklin)
Bennett	Cole	Ganey	Head
Black	Cox	Garrett	Hornsby
Brassell	Denton	George	Howell

Knight	Merrill	Pinkston	Taylor (Autauga)
Leonard	Miller	Richardson	Thomas
McDanal	Mitchell	Roberts	Thompson (Crenshaw)
McDonald	Molette	Sellers	Ward
McGowin	Nelson	Shelton	Weaver
Malone	Nettles	Shirley	Wood (Bibb)
Mathison	O'Neal	Still	Wood (Washington)

—52

Nays:

Messrs.:	Gillis	Martin	Sadler
Adams (Dale)	Givhan	Mason	Stone
Adams (Jefferson)	Harrison	Meeks	Taylor (Hale)
Barnett	Haynes (Lowndes)	Pinson	Thagard
Crocker	Ingalls	Pruitt	Tucker
Duffee	Kaul	Ramey	Whitcomb
Dumas	Larkins	Robinson	White (Perry)
Gibson	McClendon		

—29

And the bill, H. 11, as thus amended, was read a third time at length and lost.

Yeas 44; Nays 43.

Yeas:

Mr. Speaker	Cox	Howell	Mitchell
Barnett	Denton	Knight	Nelson
Benford	Dobbs (Fayette)	Larkins	Nettles
Bennett	Doughty	Leonard	O'Neal
Black	Dyar	Lovelace	Pinkston
Brassell	Ganey	McDanal	Roberts
Buckner	Garrett	McDonald	Taylor (Autauga)
Bush	George	Malone	Thompson (Crenshaw)
Callahan	Hankins	Mathison	Weaver
Coburn	Haynes (Franklin)	Merrill	Wood (Bibb)
Cole	Head	Miller	Wood (Washington)

—44

Nays:

Messrs.:	Givhan	Meeks	Stone
Adams (Dale)	Harris	Molette	Sullivan
Adams (Jefferson)	Harrison	Norman	Taylor (Hale)
Beatty	Haynes (Lowndes)	Pinson	Thagard
Brown	Hornsby	Pruitt	Thomas
Crocker	Ingalls	Ramey	Thompson (Pike)
Duffee	Kaul	Richardson	Tucker
Dumas	McClendon	Robinson	Wallace
Faulk	McGowin	Sadler	Ward
Gibson	Martin	Sellers	Whitcomb
Gillis	Mason	Shirley	White (Perry)

—43

H. 16 INDEFINITELY POSTPONED

On motion of Mr. Givhan, the bill, H. 16, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 19. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one Senator from each county; ordering an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next General Election in November 1950.

Was read a third time at length and lost.

Yeas 50; Nays 36.

Yeas:

Mr. Speaker	Doughty	Lovelace	Pinkston
Barnett	Dyar	McClendon	Roberts
Benford	Ganey	McDanal	Shelton
Bennett	Garrett	McDonald	Still
Black	George	Malone	Taylor (Aurtauga)
Brassell	Gillis	Mathison	Thompson (Crenshaw)
Buckner	Hankins	Merrill	Tucker
Bush	Haynes (Franklin)	Miller	Wallace
Coburn	Head	Mitchell	Ward
Cole	Howell	Nelson	Weaver
Cox	Knight	Nettles	Wood (Bibb)
Denton	Larkins	O'Neal	Wood (Washington)
Dobbs (Fayette)	Leonard		

—50

Nays:

Messrs.:	Givhan	Mason	Sadler
Adams (Dale)	Harris	Meeks	Sellers
Adams (Jefferson)	Harrison	Molette	Stone
Beatty	Haynes (Lowndes)	Norman	Sullivan
Brown	Hornsby	Pinkston	Taylor (Hale)
Crocker	Ingalls	Pruitt	Thagard
Duffee	Kaul	Ramey	Thomas
Dumas	McGowin	Richardson	Thompson (Pike)
Faulk	Martin	Robinson	Whitcomb
Gibson			

—36

RESOLUTION

The following resolution was introduced:

By Mr. Larkins:

H. R. 20. Be it resolved by the House, That the Legislative Council is requested to study existing legislation in this State and the several States relating to the policing and control of Communists and the spread of communism and make suggestions to the Legislature at the next regular session thereof, in the form of bills or otherwise, concerning the need for further legislation in Alabama.

On motion of Mr. Larkins the rules were suspended and H. R. 20 was adopted.

H. 32 INDEFINITELY POSTPONED

On motion of Mr. Merrill, the bill, H. 32, was indefinitely postponed.

H. 13 INDEFINITELY POSTPONED

On motion of Mr. Brassell, the bill, H. 13, was indefinitely postponed.

Yeas 60; Nays 26.

Yeas:

Messrs.:	Cole	Dyar	Givhan
Adams (Dale)	Crocker	Faulk	Hankins
Brassell	Dobbs (Fayette)	Garrett	Harris
Buckner	Doughty	George	Harrison
Bush	Duffee	Gillis	Haynes (Franklin)

Haynes (Lowndes)	Mathison	Ramey	Thagard
Head	Mitchell	Richardson	Thomas
Hornsby	Mollette	Robinson	Thompson (Crenshaw)
Knight	Nelson	Sellers	Tucker
Larkins	Nettles	Shirley	Wallace
Leonard	Norman	Still	Ward
McClendon	O'Neal	Stone	Whitcomb
McDonald	Pinkston	Sullivan	White (Perry)
McGowin	Pinson	Taylor (Autauga)	Wood (Bibb)
Martin	Pruitt	Taylor (Hale)	Wood (Washington)
Mason			

—60

Nays:

Mr. Speaker	Callahan	Howell	Morring
Adams (Jefferson)	Coburn	Kaul	Roberts
Barnett	Cox	Malone	Sadler
Beatty	Denton	Meeks	Shelton
Benford	Dumas	Merrill	Thompson (Pike)
Bennett	Ganey	Miller	Weaver
Black	Gibson		

—26

RESOLUTION

The following resolution was introduced:

By Mr. Morring:

H. J. R. 21. WHEREAS, the proposal in the form of a bill for sixty-seven senators for the State of Alabama, with the basic idea of one senator in each county in the State, has failed of passage repeatedly; and

WHEREAS, reapportionment of the House of Representatives has likewise failed of passage repeatedly; and

WHEREAS, any approach heretofore made to the problem of reapportioning either of the two Houses separately has failed for lack of breadth and scope in the thinking represented and the proposals relative to the two Houses; and

WHEREAS, the principal objection which has appeared on the surface to the proposal of a senator for each county has been the inequity of the over-all representation contained within the sixty-seven senators which would then comprise the Senate between the large and smaller counties; and

WHEREAS, the principal objection which has appeared on the surface relative to proposals for reapportionment of the House of Representatives upon a population basis has likewise been based upon the inequities of representation between the large and smaller counties; and

WHEREAS, the basic inequities concerning the Senate composed of sixty-seven members as proposed has to do with the expected spending which could, on this proposal alone, be controlled by the smaller and less populous counties; and

WHEREAS, it is basic that those who pay shall constitutionally have a voice in the spending of that which is paid into the state treasury; and

WHEREAS, no one person has been found competent heretofore of thinking on a broad enough scope to submit a bill which fully meets the problem of reapportionment to the best interests of good government in the State of Alabama; now therefore

Be it resolved by the House of Representatives, the Senate concurring, that a conference committee to be composed of three members from the House of Representatives of the Legislature of the State of Alabama and three members of the Senate of the Legislature of the State of Alabama, to be appointed by the Speaker of the House and the Presiding Officer of the Senate respectively, shall be appointed for the

purpose of collectively working to devise an equitable reapportionment of the House of Representatives based upon the population of the several counties of this sovereign State of Alabama and the reapportionment of the Senate and that in their several judgments is deemed equitable.

Be it further resolved, that upon the passage of this Resolution the Legislature now assembled in Special Session be adjourned.

And be it further resolved, that upon the reconvening of the Legislature on January 9, 1951, this Committee shall report to the respective Houses their findings and, if possible, a bill or bills representing the collective thinking of the Committee to accomplish the two purposes as aforesaid.

And be it further resolved, that the members appointed to serve on the Committee herein provided for shall, during the time of their service and not to exceed a period of two weeks, receive salary and expenses at the rate provided for regular sessions.

The motion of Mr. Morring to suspend the rules in order to place the resolution for immediately adoption, was lost.

Yeas 21; Nays 53.

Yeas:

Mr. Speaker	Bush	Lovelace	Miller
Adams (Jefferson)	Coburn	McDonald	Morring
Barnett	Denton	McGowin	Nelson
Beatty	Haynes (Franklin)	Malone	Roberts
Benford	Kaul	Merrill	Wood (Washington)
Black			

—21

Nays:

Messrs.:	Gillis	Molette	Stone
Adams (Dale)	Givhan	Norman	Sullivan
Bennett	Harris	O'Neal	Taylor (Autauga)
Brassell	Harrison	Pinkston	Taylor (Hale)
Buckner	Haynes (Lowndes)	Pinson	Thagard
Callahan	Head	Pruitt	Thomas
Cole	Hornsby	Ramey	Thompson (Crenshaw)
Crocker	Howell	Richardson	Tucker
Duffee	Ingalls	Robinson	Wallace
Dumas	Knight	Sadler	Ward
Dyar	McClendon	Sellers	Whitcomb
Faulk	Martin	Shelton	White (Perry)
Ganey	Mason	Shirley	Wood (Bibb)
George	Meeks		

—53

And the resolution, H. J. R. 21, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 23. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Was taken up.

Mr. Adams of Jefferson offered the following substitute for the bill,
H. 23:

A BILL TO BE ENTITLED AN ACT

Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of thirty-five (35) senators representing thirty-five (35) senatorial districts. Each district shall be entitled to one senator, and no more.

Section 2. The State is hereby divided, as follows, into thirty-five (35) senatorial districts, which districts are as nearly equal to each other in the number of inhabitants as may be, having regard to the requirements of Article IX of the Constitution of Alabama that no county shall be divided between two districts and that no district shall be made up of two or more counties not contiguous to each other:

First District, the county of Jefferson; Second District, the county of Mobile; Third District, the county of Montgomery; Fourth District, the counties of Limestone and Madison; Fifth District, the counties of Etowah and St. Clair; Sixth District, the counties of Fayette and Tuscaloosa; Seventh District, the counties of Jackson and Marshall; Eighth District, the counties of Walker and Winston; Ninth District, the counties of Colbert and Lauderdale; Tenth District, the counties of Calhoun and Cleburne; Eleventh District, the counties of Blount and Cullman; Twelfth District, the counties of Autauga and Dallas; Thirteenth District, the counties of Lawrence and Morgan; Fourteenth District, the counties of Lee and Russell; Fifteenth District, the counties of Clay and Talladega; Sixteenth District, the counties of Chambers and Randolph; Seventeenth District, the counties of Henry and Houston; Eighteenth District, the counties of Lowndes and Crenshaw; Nineteenth District, the counties of Cherokee and DeKalb; Twentieth District, the counties of Marengo and Sumter; Twenty-first District, the counties of Conecuh and Escambia; Twenty-second District, the counties of Macon and Tallapoosa; Twenty-third District, the counties of Coffee and Geneva; Twenty-fourth District, the counties of Covington and Butler; Twenty-fifth District, the counties of Baldwin and Monroe; Twenty-sixth District, the counties of Chilton and Shelby; Twenty-seventh District, the counties of Bibb and Perry; Twenty-eighth District, the counties of Franklin and Marion; Twenty-ninth District, the counties of Barbour and Dale; Thirtieth District, the counties of Bullock and Pike; Thirty-first District, the counties of Clarke and Wilcox; Thirty-second District, the counties of Coosa and Elmore; Thirty-third District, the counties of Lamar and Pickens; Thirty-fourth District, the counties of Greene and Hale; Thirty-fifth District, the counties of Choctaw and Washington.

Provided, that in districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall be elected alternately and in turn from each of the counties within such district.

Section 3. The provisions of this Act are severable. Should any part be declared invalid, such declaration shall not affect the remainder.

Section 4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 47; Nays 29.

Yeas:

Mr. Speaker	Cole	George	McClendon
Adams (Jefferson)	Cox	Gibson	McDanal
Beatty	Denton	Hankins	McDonald
Benford	Dobbs (Fayette)	Harris	McGowin
Black	Doughty	Haynes (Franklin)	Malone
Brassell	Duffee	Head	Meeks
Buckner	Dyar	Knight	Merrill
Bush	Ganey	Larkins	Miller
Coburn	Garrett	Lovelace	Mitchell

Nelson	Roberts	Still	Weaver
Norman	Sadler	Thagard	Wood (Washington)
O'Neal	Sellers	Wallace	—47

Nays:

Messrs.:	Haynes (Lowndes)	Pinkston	Stone
Adams (Dale)	Hornsby	Pinson	Sullivan
Barnett	Howell	Pruitt	Taylor (Autauga)
Bennett	Ingalls	Ramey	Taylor (Hale)
Callahan	Kaul	Robinson	Thomas
Crocker	Martin	Shelton	Whitcomb
Givhan	Mason	Shirley	White (Perry)
Harrison	Molette		—29

And the bill, H. 23, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 38.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Kaul	Nelson
Adams (Jefferson)	Duffee	Lovelace	Nettles
Beatty	Dumas	McClendon	O'Neal
Benford	Dyar	McDanal	Roberts
Black	Garrett	McDonald	Sadler
Brassell	George	McGowin	Sellers
Buckner	Gibson	Malone	Still
Bush	Gillis	Meeks	Thompson (Crenshaw)
Coburn	Harris	Merrill	Weaver
Cole	Haynes (Franklin)	Miller	Wood (Bibb)
Cox	Head	Mitchell	Wood (Washington)
Denton			—45

Nays:

Messrs.:	Haynes (Lowndes)	Norman	Taylor (Autauga)
Adams (Dale)	Hornsby	Pinkston	Taylor (Hale)
Barnett	Howell	Pinson	Thagard
Bennett	Ingalls	Pruitt	Thomas
Brown	Knight	Ramey	Thompson (Pike)
Callahan	Larkins	Robinson	Wallace
Crocker	Martin	Shelton	Ward
Ganey	Mason	Shirley	Whitcomb
Givhan	Mathison	Stone	White (Perry)
Harrison	Molette	Sullivan	—38

MOTION TO RECESS LOST

The motion of Mr. Brassell to recess until 2:30 o'clock this afternoon, was lost.

Yeas 19; Nays 52.

Yeas:

Mr. Speaker	Crocker	McClendon	Thompson (Pike)
Bennett	Denton	Morring	Weaver
Brassell	Dyar	Nettles	Whitcomb
Coburn	Haynes (Franklin)	Roberts	Wood (Washington)
Cole	Howell	Still	—19

Nays:

Messrs.:	Gillis	Mathison	Shelton
Adams (Dale)	Givhan	Meeks	Shirley
Barnett	Harris	Merrill	Stone
Beatty	Harrison	Miller	Sullivan
Brown	Haynes (Lowndes)	Mitchell	Taylor (Autauga)
Bush	Head	Molette	Taylor (Hale)
Callahan	Hornsby	Norman	Thagard
Duffee	Ingalls	Pruitt	Thomas
Dumas	Larkins	Ramey	Tucker
Faulk	McGowin	Richardson	Wallace
Ganey	Malone	Robinson	Ward
Garrett	Martin	Sadler	White (Perry)
George	Mason	Sellers	Wood (Bibb)
Gibson			

—52

BILLS POSTPONED

On motion of Mr. Harris, the bills, H. 6, H. 12, H. 33 and H. 22, were indefinitely postponed.

Yeas 60; Nays 5.

Yeas:

Messrs.:	Gibson	Mason	Shelton
Adams (Dale)	Givhan	Mathison	Stone
Adams (Jefferson)	Hankins	Meeks	Sullivan
Beatty	Harris	Merrill	Taylor (Autauga)
Bennett	Harrison	Miller	Taylor (Hale)
Buckner	Haynes (Lowndes)	Molette	Thagard
Cox	Hornsby	Morring	Thomas
Crocker	Howell	Norman	Thompson (Pike)
Denton	Ingalls	O'Neal	Tucker
Dobbs (Fayette)	Kaul	Pruitt	Wallace
Duffee	Larkins	Richardson	Ward
Dumas	Leonard	Robinson	Whitcomb
Faulk	McGowin	Rogers	White (Perry)
Ganey	Malone	Sadler	Wood (Bibb)
Garrett	Martin	Sellers	Wood (Washington)
George			

—60

Nays:

Mr. Speaker	Haynes (Franklin)	Mitchell	Roberts
Coburn			

—5

CONSIDERATION OF H. J. R. 18 RESUMED

By Mr. Harris:

H. J. R. 18. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two houses adjourn Thursday, July 13, 1950, they adjourn sine die.

And the resolution was adopted.

Yeas 64; Nays 4.

Yeas:

Messrs.:	Brown	Coburn	Dobbs (Fayette)
Adams (Dale)	Buckner	Cox	Duffee
Barnett	Bush	Crocker	Dumas
Beatty	Callahan	Denton	Faulk

Ganey	Ingalls	Miller	Stone
Garrett	Kaul	Molette	Sullivan
George	Knight	Norman	Taylor (Autauga)
Gibson	Larkins	Pinkston	Taylor (Hale)
Gillis	Leonard	Pinson	Thagard
Givhan	McClendon	Pruitt	Thomas
Hankins	McGowin	Ramey	Tucker
Harris	Malone	Richardson	Wallace
Harrison	Martin	Robinson	Ward
Haynes (Lowndes)	Mason	Sadler	White (Perry)
Head	Meeks	Sellers	Wood (Bibb)
Hornsby	Merrill	Shirley	Wood (Washington)
Howell			

—64

Nays:

Mr. Speaker	Adams (Jefferson)	Brassell	Haynes (Franklin)
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—4

POINT OF PERSONAL PRIVILEGE

On the request of Mr. Brassell the following was ordered inserted in the Journal:

I voted "no" on the Resolution H. J. R. 18 because 1st, the Senate has not shouldered any part of its responsibilities as to reapportionment, 2nd, Because the Jefferson Delegation having sponsored and passed a bill to reapportion the Senate, then voted to adjourn sine die.

MOTION TO RECONSIDER TABLED

On motion of Mr. Harris, his motion to reconsider the vote by which the resolution, H. J. R. 18, was passed, was laid upon the table.

Yeas 61; Nays 4.

Yeas:

Messrs.:	George	Malone	Sellers
Adams (Dale)	Gibson	Martin	Shirley
Barnett	Gillis	Mason	Stone
Beatty	Givhan	Meeks	Sullivan
Benford	Hankins	Merrill	Taylor (Autauga)
Brown	Harris	Miller	Taylor (Hale)
Buckner	Harrison	Molette	Thagard
Bush	Haynes (Lowndes)	Morring	Thomas
Crocker	Hornsby	Nettles	Tucker
Denton	Howell	Pinkston	Wallace
Duffee	Ingalls	Pinson	Ward
Dumas	Kaul	Pruitt	Whitcomb
Dyar	Larkins	Richardson	White (Perry)
Faulk	Leonard	Robinson	Wood (Bibb)
Ganey	McClendon	Sadler	Wood (Washington)
Garrett	McGowin		

—61

Nays:

Messrs.:	Haynes (Franklin)	O'Neal	Roberts
Adams (Jefferson)			

—4

RESOLUTIONS

The following resolutions were introduced:

By Mr. Harris:

H. J. R. 22. WHEREAS, the Alabama State Legislature has been called into Special Session on two occasions during the last 30 days; and

WHEREAS, there was little or no sentiment among members of the Legislature, or among the citizens of Alabama generally, for the calling of such Special Sessions; and

WHEREAS, but little constructive legislation has been passed at either of such Sessions and there appears to be very little likelihood of any constructive legislation being enacted in the event further Special Sessions are called; and

WHEREAS, the people of Alabama do not approve of the wasteful expenditure of public funds through the calling of additional Special Sessions of the Legislature;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, AS FOLLOWS:

1. That the Legislature of Alabama is of the opinion that further Special Sessions of the Legislature during the present administration are unwarranted, and are contrary to the best interest of the State of Alabama and its citizens.

2. That a copy of this Resolution be delivered by the Clerk of the House to His Excellency, James E. Folsom, Governor of Alabama.

The motion of Mr. Harris to suspend the rules in order to place the resolution for immediate adoption, was lost.

Yeas 33; Nays 39.

Yeas:

Messrs.:	George	McClendon	Richardson
Adams (Dale)	Gibson	McGowin	Robinson
Barnett	Givhan	Martin	Stone
Beatty	Harris	Mason	Sullivan
Brown	Harrison	Molette	Taylor (Hale)
Denton	Haynes (Lowndes)	Norman	Thagard
Duffee	Hornsby	Pinson	Tucker
Dumas	Ingalls	Pruitt	Ward
Faulk	Kaul		

—33

Nays:

Mr. Speaker	Crocker	McDanal	Still
Bennett	Dobbs (Fayette)	McDonald	Taylor (Autauga)
Black	Doughty	Mathison	Thompson (Crenshaw)
Brassell	Dyar	Mitchell	Thompson (Pike)
Buckner	Ganey	Nettles	Wallace
Bush	Garrett	O'Neal	Weaver
Callahan	Gillis	Pinkston	Whitcomb
Coburn	Haynes (Franklin)	Roberts	Wood (Washington)
Cole	Knight	Shelton	Wood (Bibb)
Cox	Larkins	Shirley	

—39

Also:

By Mr. Harris:

H. J. R. 23. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of six (6), three members of the House to be appointed by the Speaker of the House, and three members of the Senate to be appointed by the Presiding Officer of the Senate, to wait upon the Governor and inform him that the Legislature now stands ready to adjourn sine die and awaits any further message that he might desire to transmit.

On motion of Mr. Harris the rules were suspended and H. J. R. 23 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Merrill, O'Neal and Crocker.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 18. Relative to sine die adjournment of the Legislature today.

J. E. SPEIGHT,
Secretary.

POINT OF PERSONAL PRIVILEGE

On the request of Mr. Adams of Jefferson the following was ordered inserted in the Journal:

In order to clarify the statement of the gentleman from Russell, H. B. No. 23 was introduced by myself, Adams of Jefferson, not by the Jefferson delegation and no other member of the Jefferson delegation sponsored said bill. Furthermore I, Adams of Jefferson, did vote against the sine die adjournment resolution.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 19. Naming H. B. 10.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Quarles and Henderson:

S. 23. To amend Section 29 of Title 60 of the Code of Alabama (1940), as amended, which relates to the amounts of pensions to be paid to Confederate veterans and their widows.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 23. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 23. Relative to informing Governor the Legislature stands ready to adjourn sine die.

And the President and Presiding Officer of the Senate appointed as committee on Part of the Senate Messrs. Swift, Harvey and Hardwick.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 19. Relative to designating H. B. 10 as the Miller-Gulledge Bill.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bill and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:25 A. M. on July 13, 1950. H. 10.

Delivered to the Governor at 1:05 P. M. on July 13, 1950. H. J. R. 19.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Sixth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Sixth Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Sixth Legislative Day was approved.

ADJOURNMENT

On motion of Mr. Harris, the House adjourned sine die at 1:32 P. M.

W. M. BECK,
Speaker of the House of Representatives of the Legislature
of Alabama, Second Extraordinary Session of 1950.

Attest:

R. T. GOODWYN, JR.,
Clerk of the House of Representatives of the Legislature
of Alabama, Second Extraordinary Session of 1950.

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- Act approved September 21, 1939, Sections 3 and 5, providing for tenure of teachers in Public Schools, H. 21, p. 20.
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- Act approved August 19, 1949, Section 9, of Act No. 424, H. 351, relating to absentee voting, H. 8, pp. 12, 28, 31, 67.
- Act approved August 19, 1949, Section 9 of Act No. 424, H. 351, relating to absentee voting, H. 9, pp. 13, 28, 31, 66-67.
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JOURNAL
OF THE
House of Representatives
OF
ALABAMA

THIRD SPECIAL SESSION 1950
HELD IN THE CITY OF MONTGOMERY COMMENCING
THURSDAY, JULY 27, 1950



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
ALABAMA
THIRD SPECIAL SESSION 1950

FIRST DAY

House of Representatives,
Montgomery, Alabama,
Thursday, July 27, 1950.

Be it remembered that on the 26th day of July, 1950, His Excellency, James E. Folsom, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

A PROCLAMATION BY THE GOVERNOR

WHEREAS, the members of the Constitutional Convention who prepared and promulgated the Constitution of 1901 recognizing that population shifts would occur in the State of Alabama from time to time; and the voters of the State who by their ballots ratified said Constitution, understanding the provisions of apportioning membership in the House and the Senate after each decennial census, beginning in 1910, as provided by Sections 199 and 200 of said Constitution; and

WHEREAS, each of the several Legislatures which have convened since the decennial census of 1910, including the present Legislature, have failed to perform the duty required by it by Section 199 and 200 of said Constitution, and the membership thereof has failed or refused to keep and perform the oath of office to which they each subscribed upon entering upon the duties of their respective offices; and

WHEREAS, the failure of the Legislature to comply with the provisions of said Sections 199 and 200 of the Constitution of 1901 has caused to be abridged the privileges or immunities of the citizens of the State of Alabama and tends to deprive said citizens of the due process of law guaranteed to them under the Fourteenth Amendment of the Constitution of the United States; and

WHEREAS, this is the fourth time that I, James E. Folsom, as Chief Executive of the State of Alabama, have called the Legislature into Special Session, for the express purpose of complying with Sections 199 and 200 of the Constitution of Alabama of 1901; and

WHEREAS, the Legislature illegally adjourned without complying with said Sections 199 and 200 of the said Constitution of 1901; and leading Constitutional authorities are of the opinion that any Act attempted to be passed by this legislature, or any subsequent legislature could not legally become a law because of the failure of the said legislature to take action when specifically called for the purpose of reapportionment.

WHEREAS, the possible illegality of future Acts of the Legislature has caused an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, James E. Folsom, as Governor of the State of Alabama, do hereby proclaim such extraordinary occasion to exist and I proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 12:00 M. on Thursday, the 27th day of July, 1950, and I do hereby designate the following suggestions and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. To pass or adopt an Act or resolution providing for the holding of a Convention to alter, revise or amend the Constitution of the State of Alabama, and especially to provide for the reapportionment of the Legislature as provided in the Constitution of 1901, and submitting the question of Convention or no Convention to a vote of all of the qualified electors of the State of Alabama for their approval, as provided by Article XVIII of the Constitution of Alabama of 1901.

2. To pass an Act proposing an Amendment to Section 50 of the Constitution of Alabama 1901 providing for one Senator from each County in the State of Alabama, and to fix the number of representatives and apportion them among the several counties of the State, according to the number of inhabitants in them respectively.

3. To pass an Act proposing an Amendment to Section 197 of the Constitution of Alabama of 1901 providing for one Senator from each County in the State of Alabama.

4. To pass an Act proposing an Amendment to Section 198 of the Constitution of 1901 to fix the number of the members of the house of representatives and to make a reapportionment of the members of the house of representatives among the several counties of the State, according to the number of inhabitants in them respectively, as ascertained by the decennial census of the United States, which apportionment when made shall not be subject to alteration until the next session of the Legislature after the next decennial census of the United States shall have been taken, as prescribed by Section 198 of the Constitution of 1901.

5. To pass an Act fixing by law the number of representatives, and apportioning them among the several counties of the State, according to the number of inhabitants in them, respectively, providing that each county shall be entitled to at least one representative, as prescribed by Section 199 of the Constitution of 1901.

6. To pass an Act proposing an Amendment to Section 200 of the Constitution of Alabama of 1901 to provide that the State of Alabama be divided into sixty-seven (67) Senatorial Districts, each district to consist of one County, and providing that counties created after the adoption of this amendment shall constitute an additional Senatorial District, and to provide that one Senator be elected in and for each Senatorial District.

7. To reapportion the legislature of Alabama to comply with Article IX of the Constitution of Alabama of 1901 in such other, further or different manner as may in the wisdom of the legislature seem fit and proper.

8. To provide for the passage of any local legislation applicable to single counties or subdivisions thereof.

DONE at the Capitol of the State of Alabama on this the 26th day of July, 1950.

JAMES E. FOLSOM,
Governor.

Attest:

SIBYL POOL,
Secretary of State.

In pursuance whereof, at the hour of 12 M. on Thursday the 27th day of July, 1950, the Representatives in the Legislature of Alabama, assembled in the hall of the House of Representatives.

The House was called to order by the Hon. W. M. Beck, Speaker of the House of Representatives.

PRAAYER

The session was opened with prayer by Dr. A. S. Turnipseed, Pastor, Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names:

Mr. Speaker	Doughty	Knight	Richardson
Adams (Dale)	Duffee	Larkins	Roberts
Adams (Jefferson)	Dumas	Lovelace	Robinson
Barnett	Dyar	McClendon	Rogers
Beatty	Evans	McDanal	Sellers
Benford	Faulk	McDonald	Shelton
Bennett	Ganey	Malone	Shirley
Black	Garrett	Martin	Still
Brannan	George	Mathison	Stone
Brassell	Gibson	Meeks	Sullivan
Broadwater	Gillis	Merrill	Taylor (Autauga)
Brown	Givhan	Miller	Taylor (Hale)
Buckner	Hankins	Mitchell	Thagard
Busby	Harris	Molette	Thomas
Bush	Harrison	Morring	Thompson (Crenshaw)
Callahan	Haynes (Franklin)	Nelson	Thompson (Pike)
Coburn	Haynes (Lowndes)	Nettles	Vann
Cole	Hornsby	Norman	Wallace
Cox	Howell	O'Neal	Ward
Crocker	Ingalls	Pinkston	Weaver
Denton	Inzer	Pinson	Whitcomb
Dobbs (Fayette)	Kaul	Ramey	Wood (Washington)

—88

A quorum was present.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Roberts:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of public business.

On motion of Mr. Roberts, the rules were suspended and H. R. 1 was adopted.

Also:

By Mr. Roberts:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED that the said Committee ascertain and report back to these bodies if the Governor desires to address a

joint session of the Legislature, and if so, the time most suitable to his Excellency.

On motion of Mr. Roberts, the rules were suspended and H. J. R. 2 was adopted.

And the Speaker named as a committee on the part of the House, Messrs. Roberts, McDonald and Pinson.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify you that the Senate is now in Session and ready for the transaction of business.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Coburn:

H. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Justices of the Supreme Court, or a majority of them, are respectfully requested to give this body their written opinions concerning the following important constitutional question:

1. Does Section 284 of the Constitution, as amended, require that three months elapse between the date of the final adjournment of a legislative session at which an amendment is proposed and the date of the general election next succeeding at which the amendment may be voted on, or does the three-months requirement just apply to an election ordered to be held on a different day from the one on which the general election is held?

On motion of Mr. Coburn, the rules were suspended and H. R. 3 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. Relative to appointing Committee to notify Governor Legislature is in Session and to ascertain if the Governor desires to address a Joint Session of the Legislature.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Hughes and Gaither.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Roberts:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the two Houses meet in joint session in the Hall of the House of Representatives at 12:50, for the purpose of hearing an address by his Excellency the Governor.

On motion of Mr. Roberts, the rules were suspended and H. J. R. 4 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 4. Relative to Joint Session to hear address of His Excellency, the Governor.

J. E. SPEIGHT,
Secretary

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Coburn:

H. 1. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Colbert County, validating Act No. 485 of the General Acts of the regular 1949 session of the Alabama Legislature.

The above and foregoing bill, H. 1, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Roberts:

H. 2. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Constitution and Elections.

By Mr. Miller:

H. 3. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Constitution and Elections.

By Messrs. Dumas, Kaul, Beatty, Gibson, Meeks, Sadler, and Adams (Jefferson):

H. 4. To reapportion the Membership of the House of Representatives among the several Counties of the State, as required by Sections 198 and 199 of the Constitution, according to the population as shown by the decennial census of the United States for the year 1950.

Constitution and Elections.

By Mr. Dumas (by request):

H. 5. To provide a supplemental appropriation to the Teachers' Special Pension Fund.

Ways and Means.

By Mr. Dumas (by request):

H. 6. To provide that the tax anticipation bonds, warrants or certificates of indebtedness issued pursuant to a constitutional amendment proposed by Act No. 570 of 1949, General Acts of Alabama of 1949, pp. 897-899, submitted December 13, 1949, and proclaimed ratified December 21, 1949, are authorized investments for any fiduciary.

Judiciary.

By Mr. Dumas (by request):

H. 7. Relating to the taxation of property owned and used by colleges: To exempt from taxes all property owned and used by colleges for housing students, faculty members or other employees of such col-

leges, and to exempt property owned by colleges for enlargement of campus or for new campus.

Ways and Means.

By Mr. Shelton:

H. 8. To prohibit boards of registrars from registering persons as qualified electors within ten days prior to any primary, special or general election; and providing that meetings of the boards of registrars authorized to be held on days falling within such period may be held on another day not within such period.

Constitution and Elections.

By Mr. Callahan (with notice and proof):

H. 9. To repeal Act Number 424 of the Local Acts of Alabama of 1947, page 281, approved September 25, 1947, entitled An Act levying in Tuscaloosa County, Alabama, additional special privilege or licenses taxes and excise taxes, etc.

Local Legislation.

Notice and Proof H. B. 9:

Notice is hereby given that an act in substance as follows will be introduced at the next session of the Legislature:

A BILL
TO BE ENTITLED
AN ACT

To Repeal Act Number 424 of the Local Acts of Alabama of 1947, page 281, approved September 25, 1947, entitled An Act Levying in Tuscaloosa County, Alabama, additional special privilege or licenses taxes and excise taxes, etc.

Be It Enacted by the Legislature:

Section One: That Act Number 424 of the Local Acts of Alabama of 1947, page 281, approved September 25, 1947, entitled "An Act Levying in Tuscaloosa County, Alabama, additional special privilege or license taxes and excise taxes, etc.," be and the same hereby is repealed.

Section Two: This Act shall become effective June 15, 1951.

THE TUSCALOOSA NEWS.

June 12, 19, 26—July 3—4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Leo J. Jones, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Legal Clerk of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1950.

LEO J. JONES.

Sworn to and subscribed before me July 3, 1950.

LILLA COLLINS,
Notary Public.

By Mr. Garrett:

H. 10. Proposing an amendment to the Constitution of Alabama: To authorize the several school districts of Monroe County to levy and collect a special school tax of thirty cents on each one hundred dollars worth of taxable property; ordering an election upon the proposed amendment to be held at the general election next succeeding the adjournment of the present session of the Legislature.

The above and foregoing bill, H. 10, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Garrett:

H. 11. To amend Section 11 of Act No. 329, H. 714, approved July 1, 1943, (General Acts of Alabama, 1943, p. 311), as amended, entitled the "Farm to Market Road Act of 1943."

Transportation.

JOINT SESSION

The hour of 12:50 o'clock P. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the hall of the House of Representatives, in accordance with House Joint Resolution No. 4, for the purpose of hearing an address by the Governor of the State of Alabama.

The joint session was called to order by the Hon. J. C. Inzer, Lieutenant Governor and Presiding Officer of the Senate.

The Hon. James E. Folsom, Governor of the State of Alabama, appeared and addressed the Joint Session of the Legislature of the State of Alabama as follows:

MESSAGE OF GOVERNOR JAMES E. FOLSOM TO LEGISLATURE

SPECIAL SESSION, JULY 27, 1950

Governor Inzer, Speaker Beck, Members of the Senate and House of Representatives of this Great Sovereign State of Alabama:

You are the representatives of all of the people of Alabama, in the various Counties and Districts, the population and political units of this great State of ours.

The proper representation of the people of this State, or of any republican form of government, is the most important thing that concerns the welfare of the people of that particular State or that Nation.

That is the basis upon which I have called you into session here today for the fourth time since I have been Governor of this great State of ours.

On March 3, 1947, just a few days after I was inaugurated Governor of this State, I called this Legislature into special session for the purpose of working out some kind of arrangement leading toward reapportionment of the representation of the people of Alabama in these two Houses. I provided the way in that call by means of a Constitutional Convention.

That has been exactly 3 years, 4 months, 24 days, 1 hour and no minutes, until this date, and three other calls have been made since that time. The Legislature of this State has done absolutely nothing about this important matter. Here is a copy of the first proclamation issued by me. It was issued on March 3, 1947. The meeting was called for 11:00 o'clock of that day; nothing has been done.

Now, what are the proposals? The proposal this first time was the Constitutional Convention. The proposal in the next proclamation, issued June 19, 1950, provided for a Senator for each County. The next

proposal, issued for July 5, 1950, provided for a Constitutional Convention, as did the last proclamation (issued on June 19th) and provided further that representation in the legislature be reapportioned by any means that seemed fit and proper in the wisdom of this Legislature. No action was taken in the Senate.

Again, today, three years, four months and twenty-four days since the first Special Call, you have been called into session to properly provide for the representation of the people of Alabama in the North hall of this great Legislature, and the South Hall, which is this hall. That is why you are here today.

Now, let's see what representation, proper representation, means, Gentlemen:

First: It means that if the people in your county are not properly represented in these legislative halls they will not be represented at any time in their rightful share of the appropriations.

Second: They are not properly represented in the courts that you as the legislature create when they are standing before the bar of justice.

Third: The people themselves are not properly represented in any law that you enact as a body.

Fourth: They are not properly represented in the various sovereign functions of this State, as a State in this great nation of States.

Now, let's see what this means. In this first call that, I, as Governor of Alabama, issued the way was provided for you to let the people of this State vote whether or not they wanted a Constitutional Convention which would provide for reapportionment and provide the other needed reforms of this State. That caused the rumbling and the grumbling, as I knew it would do, from one end of this State to the other. That is what started all the rumbling and grumbling of the Folsom Administration and it has been continuously kept up from that day forward to this date. Now, three years, four months, twenty-four days later that rumbling and grumbling and that thunder you have heard in the North Hall and in the South Hall and that you have heard in the daily press was nothing else than the fact that the way was shown by me three years, four months and twenty-four days ago. I provided the way for the people of this state to have their rightful representation in the Legislature of this State. That started the fight.

That reminds me of a joke: Back in 1918, when the men on our farm had been drafted for the service, my Father, who was an officer in the courthouse, sent us to work the peanuts in his river field in Coffee County. It was our second peanut crop and was the year so much money was made down there in peanuts that we outlawed cotton as a dependence. In that river field, hoeing and plowing, when the older boys were not available, and I would rather plow than to hoe with the old scovil hoes we had, I would stand in the mornings and watch the scattered thunderheads, hoping against hope they would develop into a great cloud and a storm. Perhaps I would get to go home—just like every boy that has ever worked in the field has hoped. I remember one day a cloud came up that was bad. It looked like I would get to spend two or three days at the house playing around with the boys around the farm, riding the horses and yearlings. That thunderhead developed into a bad cloud and it thundered and lightened, but it never did rain. An uncle was to my right, hoeing with me, he said, "Jim, don't watch it when it comes from that direction and looks like that, it ain't going to rain." That is the way it has been the last three years. It has thundered in the North hall, thundered in the South hall, thundered on the stumps in this State, thundered in the newspapers, but it has not rained. We still have the problem before us.

Now, what is the problem? The Constitution of 1901 provided, and it is right and just and will stand up in any storm, political or otherwise—it will be a shining bright light and will burn and will not blow

out in the wettest storm that can be created—it is a light that will shine because it is right—it provided us our rightful representation for every person in this State, for every county and political unit. That is why it will stand. It is right. Reapportionment is coming. Thunder is not going to stop it. Jim Folsom can't stop it. No individual can stop it. It is in the minds and hearts of the people and it is talked and has created a rumble and a storm that is going to continue in the minds and hearts of the people of this State until something is done about it. There is no use of this Legislature burying its head in the sand like an ostrich. There is no use for this Legislature to do like the man that had a great problem to solve in the next two or three weeks, like paying a note at the bank. He knew it was coming, so for seven nights he got drunk, but the next morning the very same problem was there staring him in the face. Finally he said to himself, "I am going out and solve this problem one way or the other" and he went out and worked and scuffled around for seven days and solved that problem to the satisfaction of his bank and to the happiness of his family.

This problem is before you and it is going to stay before this Legislature. You can solve that problem or you can come back here every morning and have that same problem facing you. You can bury your head in the sand like an Ostrich, but when you come back next morning at 9:00, 10:00 or 11:00 o'clock the problem is still there. This problem is in the hearts and minds of the people of this State. It is going to stay there and something is going to be done about it. It is imprinted on the minds of the people and it is right and it will stand. Talking about unseating a member of the Senate is not going to cover it up; any diversionary tactics that you want to introduce are not going to cover it up; it is still going to be there staring you in the face.

That reminds me of a story that I heard about a ship at sea, or maybe it was a boat on a lake. This ship had cargo on it. Way out at sea in a rough storm the cargo shifted—the ship had passengers on it, and the captain commanded the crew to shift the cargo back so the ship could steer a straight course. The crew went down below and they got to fussing among themselves. One faction didn't want to work at all; another faction thought the cargo ought to be shifted to this side, and another group thought it ought to be shifted to the other side. The storm grew worse and the crew kept fussing among themselves and the passengers began to get dissatisfied and threatened to take over and do the job themselves. Finally the crew got together, straightened out the cargo in the ship, put the ship on an even keel so that it would steer better and brought it into port.

A storm is going on in Alabama, the cargo in this great Ship of State has shifted since 1901; the passengers are demanding that something be done about it so that the ship will sail on an even keel, weather any storm it is faced with and bring the passengers straight into port out of the storm.

Let me briefly review:

(1) It has been three years, Gentlemen, four months, twenty-four days and one hour since I first called you into special session to do something about the people's rightful representation in this Body. There has been no action taken in the Senate of this great State. You cannot justify that before the people of this State at any time, now or in the future, and since that time I have issued two other calls before today. I enumerated them to you, and the Senate again went home on those two calls without taking action. Again, and I am right just as sure as the sun rises in the East and sets in the West, you cannot justify adjourning this Legislature and going home without the Senate taking action and this House taking action jointly with that Senate.

Again, for the fourth time, Gentlemen, I, as Governor of this State, have provided the way for this Legislature to take some kind of action.

Here is the way I recommend that you do it: By Constitutional Convention. I have provided the way. And let me again remind you that I recommend that it be done by Constitutional Convention, and you can do it that way by a simple majority. If you do not see fit to do it that way I have provided the way for you to do it under Article IX of the Constitution. If you do not see fit to do it that way, I have provided for you to do it by any means which in your wisdom seems fit and proper. If you adjourn without taking action, Gentlemen, you cannot justify it before the people of this State or any other State or any free people anywhere in the world, either in South Korea, Northern France, South America, Alabama, Georgia, Florida or the Carolinas. It is right. It will stand to the North. It will stand to the South. It will stand in the East and will stand in the West. It is right, so Help Me. God.

Again I have prepared the way. I am certain, Gentlemen, that you in your wisdom realize that the way has been provided for you under your responsibility to carry out the wishes, the prayers and desires of the people of this State, and they all know it is right, regardless of what section or what remote County or what great metropolis they live in.

I thank you from the bottom of my heart, Governor Inzer, Mr. Speaker, and Members of the Legislature of Alabama.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

RESOLUTION

The following resolution was introduced:

By Mr. Harris:

H. J. R. 5. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today they adjourn sine die.

The motion of Mr. Harris to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 5 was lost.

Yeas 52; Nays 28.

Yeas:

Messrs.:	Dumas	Kaul	Richardson
Adams (Dale)	Dyar	Knight	Robinson
Adams (Jefferson)	Faulk	Larkins	Rogers
Barnett	Ganey	McClendon	Sellers
Beatty	George	Malone	Stone
Brannan	Gibson	Martin	Sullivan
Broadwater	Givhan	Meeks	Taylor (Autauga)
Brown	Harris	Merrill	Taylor (Hale)
Busby	Harrison	Molette	Thagard
Bush	Haynes (Lowndes)	Morring	Thomas
Callahan	Hornsby	Norman	Vann
Crocker	Ingalls	Pinkston	Wallace
Denton	Inzer	Pinson	Ward
Duffee			

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Nays:

Mr. Speaker	Coburn	Hankins	Mathison
Benford	Cole	Haynes (Franklin)	Miller
Bennett	Cox	Howell	Mitchell
Brassell	Dobbs (Fayette)	McDanal	Nelson
Buckner	Doughty	McDonald	O'Neal

Roberts	Shirley	Thompson (Crenshaw)	Weaver
Shelton	Still	Thompson (Pike)	Wood (Washington)

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And said resolution H. J. R. 5 was read and referred to the Standing Committee on Rules.

MOTION TO RECESS LOST

The motion of Mr. Brassell to recess until 3 o'clock this afternoon was lost.

Yeas 27; Nays 51.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Knight	Roberts
Bennett	Doughty	McDanal	Still
Brassell	Dyar	Mathison	Taylor (Hale)
Buckner	Ganey	Mitchell	Thompson (Crenshaw)
Coburn	Garrett	Nettles	Weaver
Cole	Haynes (Franklin)	O'Neal	Wood (Washington)
Crocker	Howell	Pinkston	

—27

Nays:

Messrs.:	Dumas	Larkins	Rogers
Adams (Dale)	Faulk	Lovelace	Sellers
Adams (Jefferson)	George	McClendon	Shelton
Barnett	Gibson	Malone	Shirley
Beatty	Givhan	Martin	Stone
Brannan	Hankins	Meeks	Sullivan
Broadwater	Harris	Merrill	Taylor (Autauga)
Brown	Harrison	Miller	Thagard
Busby	Haynes (Lowndes)	Molette	Thomas
Bush	Hornsby	Norman	Thompson (Pike)
Callahan	Ingalls	Pinson	Vann
Denton	Inzer	Richardson	Wallace
Duffee	Kaul	Robinson	Ward

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By The Rules Committee:

S. J. R. 5. RESOLVED by the Senate, the House concurring, that the Legislature do now adjourn sine die.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 5 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RECESS

The motion of Mr. Harris to recess for ten minutes was adopted.

Yeas 57; Nays 18.

Yeas:

Messrs.:	Duffee	Inzer	Richardson
Adams (Dale)	Dumas	Kaul	Robinson
Adams (Jefferson)	Dyar	Knight	Rogers
Barnett	Faulk	McClendon	Seilers
Beatty	Ganey	Malone	Stone
Brannan	Garrett	Martin	Sullivan
Broadwater	George	Mathison	Taylor (Aurtega)
Brown	Gibson	Meeks	Taylor (Hale)
Busby	Givhan	Merrill	Thagard
Bush	Harris	Molette	Thomas
Callahan	Harrison	Morring	Thompson (Pike)
Cole	Haynes (Lowndes)	Norman	Vann
Cox	Hornshy	Pinkston	Wallace
Crocker	Howell	Pinson	Ward
Denton	Ingalls		

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Nays:

Mr. Speaker	Dobbs (Fayette)	Nettles	Shirley
Benford	Doughty	O'Neal	Stili
Bennett	Haynes (Franklin)	Roberts	Thompson (Crenshaw)
Brassell	McDanal	Shelton	Wood (Washington)
Coburn	Mitchell		

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REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 6. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

That a committee of three be appointed to inform His Excellency the Governor, Honorable James E. Folsom, that the HOUSE IS NOW READY TO ADJOURN sine die and if he has any further messages for the House of Representatives that the House stands ready to hear them.

And H. R. 6 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Roberts, Merrill and Coburn.

RESOLUTION

The following resolution was introduced:

By Mr. Harris:

H. J. R. 7. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that the Journals of this session of the Legislature be bound with the next session.

On motion of Mr. Harris, the rules were suspended and H. J. R. 7 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 7. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, The Senate concurring that the Journals of this session of the Legislature be bound with the next session.

J. E. SPEIGHT,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the First Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the First Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the First Legislative Day was approved.

REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

By Rules Committee:

S. J. R. 5. Relative to sine die adjournment.

And S. J. R. 5 was adopted.

Yeas 52; Nays 24.

Yeas:

Messrs.:	Dumas	Ingalls	Richardson
Adams (Dale)	Dyar	Inzer	Robinson
Adams (Jefferson)	Faulk	Kaul	Rogers
Beatty	Ganey	McCierdon	Sellers
Brannan	Garrett	Malone	Stone
Broadwater	George	Martin	Sullivan
Brown	Gibson	Meeks	Taylor (Autauga)
Buckner	Givhan	Merrill	Taylor (Hale)
Busby	Hankins	Molette	Thagard
Bush	Harris	Morring	Thomas
Callahan	Harrison	Norman	Vann
Crocker	Haynes (Lowndes)	Pinkston	Wallace
Denton	Hornsby	Pinson	Ward
Duffee			

—52

Nays:

Mr. Speaker	Cox	McDanal	Still
Benford	Dobbs (Fayette)	Miller	Thompson (Crenshaw)
Bennett	Doughty	Mitchell	Thompson (Pike)
Brassell	Evans	Nelson	Weaver
Coburn	Haynes (Franklin)	Roberts	Whitcomb
Cole	Larkins	Shirley	Wood (Washington)

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ADJOURNMENT

In accordance with S. J. R. 5, the House adjourned sine die at 2:14 P. M.

W. M. BECK,
Speaker of the House of Representatives of the Legislature
of Alabama, Third Extraordinary Session of 1950.

Attest:

R. T. GOODWYN, JR.,
Clerk of the House of Representatives of the Legislature
of Alabama, Third Extraordinary Session of 1950.

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JOURNAL
OF THE
House of Representatives
OF
ALABAMA

FOURTH SPECIAL SESSION 1950
HELD IN THE CITY OF MONTGOMERY COMMENCING
MONDAY, JULY 31, 1950



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
ALABAMA
FOURTH EXTRAORDINARY SESSION,
1950

FIRST DAY

House of Representatives,
Montgomery, Alabama,
Monday, July 31, 1950.

Be it remembered that on the 27th day of July, 1950, His Excellency, James E. Folsom, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

**A PROCLAMATION
BY THE
GOVERNOR**

WHEREAS, the members of the Constitutional Convention who prepared and promulgated the Constitution of 1901 recognizing that population shifts would occur in the State of Alabama from time to time; and the voters of the State who by their ballots ratified said Constitution, understanding the provisions of apportioning membership in the House and the Senate after each decennial census, beginning in 1910, as provided by Sections 199 and 200 of said Constitution; and

WHEREAS, each of the several Legislatures which have convened since the decennial census of 1910, including the present Legislature, have failed to perform the duty required by it by Section 199 and 200 of said Constitution, and the membership thereof has failed or refused to keep and perform the oath of office to which they each subscribed upon entering upon the duties of their respective offices; and

WHEREAS, the failure of the Legislature to comply with the provisions of said Sections 199 and 200 of the Constitution of 1901 has caused to be abridged the privileges or immunities of the citizens of the State of Alabama and tends to deprive said citizens of the due process of law guaranteed to them under the Fourteenth Amendment of the Constitution of the United States; and

WHEREAS, this is the fifth time that I, James E. Folsom, as Chief Executive of the State of Alabama, have called the Legislature into Special Session, for the express purpose of complying with Sections 199 and 200 of the Constitution of Alabama of 1901; and

WHEREAS, the Legislature illegally adjourned without complying with said Sections 199 and 200 of the said Constitution of 1901; and leading Constitutional authorities are of the opinion that any Act attempted to be passed by this Legislature, or any subsequent legislature could not legally become a law because of the failure of the said legis-

lature to take action when specifically called for the purpose of reapportionment.

WHEREAS, the possible illegality of future Acts of the Legislature has caused an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, James E. Folsom, as Governor of the State of Alabama, do hereby proclaim such extraordinary occasion to exist and I proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama at 12:00 M. on Monday, the 31st day of July, 1950, and I do hereby designate the following suggestions and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. To pass or adopt an Act or resolution providing for the holding of a Convention to alter, revise or amend the Constitution of the State of Alabama, and especially to provide for the reapportionment of the Legislature as provided in the Constitution of 1901, and submitting the question of Convention or no Convention to a vote of all of the qualified electors of the State of Alabama for their approval, as provided by Article XVIII of the Constitution of Alabama of 1901.

2. To pass an Act proposing an Amendment to Section 50 of the Constitution of Alabama 1901 providing for one Senator from each County in the State of Alabama, and to fix the number of representatives and apportion them among the several counties of the State, according to the number of inhabitants in them respectively.

3. To pass an Act proposing an Amendment to Section 197 of the Constitution of Alabama of 1901 providing for one Senator from each County in the State of Alabama.

4. To pass an Act proposing an Amendment to Section 192 of the Constitution of 1901 to fix the number of the members of the house of representatives and to make a reapportionment of the members of the house of representatives among the several counties of the State, according to the number of inhabitants in them respectively, as ascertained by the decennial census of the United States, which apportionment when made shall not be subject to alteration until the next session of the Legislature after the next decennial census of the United States shall have been taken, as prescribed by Section 198 of the Constitution of 1901.

5. To pass an Act fixing by law the number of representatives and apportioning them among the several counties of the State, according to the number of inhabitants in them, respectively, providing that each county shall be entitled to at least one representative, as prescribed by Section 199 of the Constitution of 1901.

6. To pass an Act proposing an Amendment to Section 200 of the Constitution of Alabama of 1901 to provide that the State of Alabama be divided into sixty-seven (67) Senatorial Districts, each district to consist of one County, and providing that counties created after the adoption of this amendment shall constitute an additional Senatorial District, and to provide that one Senator be elected in and for each Senatorial District.

7. To reapportion the legislature of Alabama to comply with Article IX of the Constitution of Alabama of 1901 in such other, further or different manner as may in the wisdom of the legislature seem fit and proper.

8. To provide for the passage of any local legislation applicable to single counties or subdivisions thereof.

DONE at the Capitol of the State of Alabama on this the 27th day of July, 1950.

JAMES E. FOLSOM,
Governor.

Attest:

SIBYL POOL,
Secretary of State.

In pursuance whereof, at the hour of 12 M. on Monday the 31st day of July, 1950, the Representatives in the Legislature of Alabama, assembled in the hall of the House of Representatives.

The House was called to order by the Hon. W. M. Beck, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by the Reverend R. Clyde Kinaird, Pastor, Calvary Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names:

Mr. Speaker	Dyar	Lovelace	Ramey
Adams (Dale)	Evans	McClendon	Richardson
Adams (Jefferson)	Faulk	McDonald	Roberts
Beatty	Ganey	McGowin	Robinson
Benford	Garrett	Malone	Sellers
Bennett	George	Martin	Shelton
Black	Gibson	Mason	Shirley
Brassell	Gillis	Mathison	Still
Broadwater	Givhan	Meeks	Stone
Brown	Hankins	Merrill	Taylor (Autauga)
Buckner	Harris	Miller	Taylor (Hale)
Bush	Harrison	Molette	Thomas
Callahan	Haynes (Franklin)	Morring	Thompson (Crenshaw)
Coburn	Haynes (Lowndes)	Nelson	Thompson (Pike)
Cole	Hornsby	Nettles	Vann
Cox	Howell	Norman	Wallace
Crocker	Ingalls	O'Neal	Ward
Denton	Inzer	Pinkston	Weaver
Dobbs (Fayette)	Kaul	Pinson	White (Perry)
Duffee	Knight	Pruitt	Wood (Bibb)
Dumas	Larkins		

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A quorum was present.

RESOLUTION

The following resolution was introduced:

By Mr. Roberts:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Roberts, the rules were suspended and H. R. 1 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify you that the Senate is now in Session and ready for the transaction of business.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives

State Capitol

Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,
W. V. (Bill) LYERLY,
Executive Secretary.

July 31, 1950

To the House of Representatives

State Capitol

Montgomery, Alabama

Gentlemen:

The purpose for which you have been called into this Special Session is right by every Constitutional rule and statute. The provisions of the Constitution of Alabama, as well as the statutes, should be enforced. It is your duty under the Constitution and your responsibility, under your oaths that you took when you assumed the duties of the office, to provide a more equitable reapportionment of the Legislature. The people are demanding that something be done to solve this important problem.

My position in this matter has been made clear in several past joint sessions. I feel certain that you as the Legislative Body of the State will take action to insure legislative equality and protection for all of the people of Alabama.

Respectfully,
JAMES E. FOLSOM,
Governor.

July 31, 1950

RESOLUTIONS

The following resolutions were introduced:

By Mr. Norman:

H. R. 2. Resolved that immediately after the call of counties for the introduction of bills today, the House resolve itself into a committee of the Whole house for the purpose of considering such bills as may be introduced and which pertain to matters included within the Governor's call.

And said resolution H. R. 2 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Givhan:

H. J. R. 3. Be it resolved by the House of Representatives of Alabama, the Senate concurring, That when the two Houses adjourn today, they adjourn to meet again on Tuesday October 31, 1950, at twelve o'clock noon; and

Be it further Resolved, That:

1. A joint legislative investigating committee, to consist of four members of the House, appointed by the chairman of the Ways and Means Committee, and confirmed by the House, and three members of the Senate appointed by the Chairman of the Finance and Taxation Committee, and confirmed by the Senate, is hereby created to make an investigation of any Department of State Government which they see fit to investigate.

2. In the performance of its duties, such committee shall have the power to issue subpoenas to compel the attendance of witnesses and the production of papers necessary in the conduct of its investigations. In case a person refuses to obey such subpoena, the chairman of the committee may invoke the aid of any circuit court in order that the testimony or evidence shall be produced. Upon proper showing, such court shall issue a subpoena or order requiring such person to appear before the committee and produce all evidence and give all testimony relating to the matter in issue. A person failing to obey such order may be punished by the court as for contempt.

3. Each committee shall have power to employ legal counsel and technical and clerical assistance and to provide for the payment of their compensation out of any money appropriated for the payment of legislative expenses.

4. The members of the committee shall elect from their number a chairman. The committee shall meet at the call of the chairman or upon the request of three members. The members of the committees shall receive their regular legislative compensation and expenses, as fixed by the 1947 Regular Session of the Legislature, which shall be paid out of the funds appropriated for the payment of legislative expenses.

5. Each committee shall make a report of its findings and recommendations to each House of the Legislature upon the re-convening of the session.

6. Except as herein provided, no member of the Legislature or officer, clerk, or employee of either House or any committee thereof, except the Secretary of the Senate and the Clerk of the House, shall be paid any compensation during the recess.

And said resolution H. J. R. 3 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Beck:

H. J. R. 4. WHEREAS, the world is involved in a conflict between Communism and people who love freedom and

WHEREAS, in order to combat the menace of communism to our way of life it is going to be necessary that the peoples of the free countries band together and mobilize their entire resources as to manpower, industry and economics in order to defend themselves against the force that has been generated by countries dominated by communism and

WHEREAS, the United States of America being the arsenal of democracy and the source of power of all freedom-loving people, with vast resources both industrial and economic, and in order to preserve these resources it is necessary that the Congress of the United States enact laws giving the President the power to mobilize our resources in order to combat the dangers to our way of life.

THEREFORE, BE IT RESOLVED BY THE HOUSE AND THE SENATE CONCURRING:

That the Congress of the United States is hereby memorialized and requested to enact legislation to effectively mobilize our resources for an all-out war effort, which mobilization shall include controls of prices

to stem inflation, controls of profiteering in war industry, controls of manpower and the necessary power to mobilize our entire economic and manpower resources.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Alabama delegation in Congress, the President of the United States and the Secretary of Defense.

The motion of Mr. Beck to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 4 was lost.

Yeas 38; Nays 27.

Yeas:

Mr. Speaker	Denton	Larkins	Roberts
Benford	Dobbs (Fayette)	Martin	Shirley
Black	Dyar	Mason	Still
Brassell	Evans	Merrill	Taylor (Hale)
Buckner	Garrett	Miller	Thomas
Busby	George	Nettles	Thompson (Crenshaw)
Coburn	Gillis	O'Neal	Wallace
Coie	Hankins	Pinkston	Weaver
Cox	Howell	Ramey	White (Perry)
Crocker	Knight		

—38

Nays:

Messrs.:	Faulk	Lovelace	Pruitt
Adams (Dale)	Ganey	McGowin	Richardson
Adams (Jefferson)	Gibson	Malone	Shelton
Beatty	Givhan	Molette	Stone
Bennett	Harris	Morring	Thompson (Pike)
Brown	Ingalls	Norman	Vann
Callahan	Kaul	Pinson	Ward

—27

And said resolution H. J. R. 4 was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Wallace, Thomas and Merrill:

H. J. R. 5. Whereas, the "Regional Vocational and Trade Schools Act" of 1947 calls for the location, construction and operation of several regional trade schools in the state during the fiscal years 1947-48 through 1950-51, and

Whereas, a great number of the students desiring to attend such schools are veretans entitled to assistance under the provisions of the GI Bill of Rights, and

Whereas, veterans cannot begin training under the GI Bill of Rights later than July, 1951, and

Whereas, unless the vocational and trade schools are able to accept students by that date, a great many veterans desiring such training will not be able to receive it under the GI Bill of Rights, and

Whereas, the 1950 state convention of the American Legion urged the expeditious completion of the schools, now therefore BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING:

1. The Governor and the State Board of Education are hereby requested and urged by the Legislature to expedite the location, construction and operation of the schools authorized by the "Regional Vocational

and Trade Schools Act" of 1947 so that they may all be prepared to accept students within a reasonable time prior to July, 1951.

2. The Clerk of the House of Representatives is directed to transmit a copy of this resolution to the Governor and each member of the State Board of Education.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 5 was adopted.

Also:

By Messrs. Moring, Merrill, Adams (Jefferson):

H. J. R. 6. WHEREAS, the proposal in the form of a bill for sixty-seven senators for the State of Alabama, with the basic idea of one senator in each county in the State, has failed of passage repeatedly; and

WHEREAS, reapportionment of the House of Representatives has likewise failed of passage repeatedly; and

WHEREAS, any approach heretofore made to the problem of reapportioning either of the two Houses separately has failed for lack of breadth and scope in the thinking represented and the proposals relative to the two Houses; and

WHEREAS, the principal objection which has appeared on the surface to the proposal of a senator for each county has been the inequity of the over-all representation contained within the sixty-seven senators which would then comprise the Senate between the large and smaller counties; and

WHEREAS, the principal objection which has appeared on the surface relative to proposals for reapportionment of the House of Representatives upon a population basis has likewise been based upon the inequities of representation between the large and smaller counties; and

WHEREAS, the basic inequities concerning the Senate composed of sixty-seven members as proposed has to do with the expected spending which could, on this proposal alone, be controlled by the smaller and less populous counties; and

WHEREAS, it is basic that those who pay shall constitutionally have a voice in the spending of that which is paid into the state treasury; and

WHEREAS, no one person has been found competent heretofore of thinking on a broad enough scope to submit a bill which fully meets the problem of reapportionment to the best interests of good government in the State of Alabama; now therefore

Be it resolved by the House of Representatives, the Senate concurring, that a conference committee to be composed of five members from the House of Representatives of the Legislature of the State of Alabama and five members of the Senate of the Legislature of the State of Alabama, to be appointed by the Speaker of the House and the Presiding Officer of the Senate respectively, no more than one from each congressional district so far as practicable, shall be appointed for the purpose of collectively working to devise an equitable reapportionment of the House of Representatives based upon the population of the several counties of this sovereign State of Alabama and the reapportionment of the Senate and that in their several judgments is deemed equitable.

Be it further resolved, that upon the passage of this Resolution the Legislature now assembled in Special Session shall be recessed from Monday, July 31, to Tuesday, August 15, to afford time for the deliberation of the Committee as aforesaid.

And be it further resolved, that upon the reconvening of the Legislature this Committee shall report to the respective Houses their findings and, if possible, a bill or bills representing the collective thinking of the Committee to accomplish the two purposes as aforesaid.

And be it further resolved, that the members appointed to serve on the Committee herein provided for shall, during the time of their services, receive salary and expenses at the rate provided for regular sessions, together with the necessary clerical help, provided that no other member of the Legislature shall be paid during said recess.

And said resolution H. J. R. 6 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Harris:

H. R. 7. WHEREAS in the last two months the Governor has called the Legislature into Special session on four separate occasions to consider certain legislation, proposed amendments to the constitutions, and whether the question of holding a constitutional convention should be submitted to the people, and

WHEREAS the House of Representatives has heretofore repeatedly considered and voted upon each of these subjects not only in special sessions but also in the regular sessions of 1947 and 1949, and

WHEREAS there is no probability that the Legislature at a Special session will reach any agreement upon a reapportionment measure, and

WHEREAS it is the opinion of a majority of the members of the House of Representatives that there does not now, and has never heretofore existed an extraordinary occasion justifying the convening of the Legislature in special session to consider either of the subjects embraced in the present and preceding special calls, and

WHEREAS any action now taken by the Legislature on either of the subjects embraced in the present call could not become effective until 1954, before which date the Legislature will have met in extended sessions in 1951 and 1953, at either of which all questions included in the present special call can be fully considered and acted upon without the necessity of great expense and inconvenience attendant upon a called special session, and

WHEREAS the Chief Executive has publicly asserted his intention to continue to convene the Legislature in special session until a required majority of its members approve his demands, and

THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

1. That it is the opinion of the House of Representatives that the Chief Executive has abused the power reposed in him to call the Legislature into special session.

2. That the House of Representatives by this resolution register its disapproval of the action of the Chief Executive in continually and repeatedly calling the Legislature into special sessions.

3. That the House of Representatives protests the expense and cost to the State occasioned by the continual convening of the Legislature in unnecessary special sessions.

4. That a copy of this resolution to be forthwith handed the Chief Executive, and a copy be simultaneously released to the press, that the Governor and the public may immediately be informed of the whole-hearted disapproval by the House of Representatives of the action of the Chief Executive, and threats to continue such action until the duly elected representatives of the people surrender their Constitutionally imposed prerogatives, powers and responsibilities as an independent branch of the Government and submit to his arbitrary will.

And said resolution H. R. 7 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Harris:

H. J. R. 8. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again August 7, 1950 at 12:00 o'clock noon, and that the members receive no pay during the recess.

And said resolution H. J. R. 8 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Harris:

H. J. R. 9. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today they adjourn sine die.

And said resolution H. J. R. 9 was read and referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McDonald (with notice and proof):

H. 1. To prescribe the time and manner of the nomination and election of members of the commissioners court of Coosa County, Alabama.
Local Legislation.

Notice and Proof H. 1:

LEGAL

Notice is given of the intention to introduce for passage by the Legislature of Alabama at the present extra session thereof the following local legislation relating to Coosa County, Alabama, the substance thereof being as follows, to-wit:

AN ACT

To prescribe the time and manner of the nomination and election of members of the Commissioners Court of Coosa County, Alabama.

Section 1. Be it enacted by the Legislature of Alabama that elections for members of the Commissioners Court for Coosa County shall be held at the general elections next proceeding the expiration of the present terms of office of the respective members of said court and at said elections candidates seeking the office of Commissioner from a given Commissioner's district in said county shall be voted on only by those qualified voters residing and voting within that district.

Section 2. Be it further enacted that in primary elections candidates seeking the office of Commissioner from a given Commissioner's district in said county shall be voted on only by those qualified voters residing and voting within that district.

Section 3. Be it further enacted that all laws and parts of laws in conflict with this act are hereby repealed.

This June 19th, 1950.

GEO. B. McDONALD,
Member of Legislature for Coosa County, Alabama.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of The Enterprise-Chronicle published weekly at Goodwater, Ala., do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated June 22, 1950, and ending with the issue dated July 13, 1950.

J. C. HENDERSON.

Subscribed and sworn before me this 14 day of July, 1950.

BILLY B. SELLERS,
Notary Public.

My commission expires February 26, 1951.

By Messrs. Beck and Martin:

H. 2. To amend sections 1, 2 and 5 of Act No. 317, approved December 9, 1859, entitled "An Act To Incorporate the Grand Lodge of Free and Accepted Masons of the State of Alabama and the subordinate Lodges under its jurisdiction," as amended.

Business and Labor.

By Mr. Beck:

H. 3. To amend Section 661 of Title 7 of the Code of Alabama (1940), which relates to the homestead exempted from administration and the payment of debts in favor of the widow and minor child or children; making the amendment retroactive.

Judiciary.

By Mr. Beck:

H. 4. To fix and provide for the payment of expenses to be allowed legislators, other than actual expenses of traveling, pursuant to Amendment LVII of the Constitution.

Judiciary.

By Mr. Miller:

H. 5. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Constitution and Elections.

By Mr. Roberts:

H. 6. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Constitution and Elections.

By Mr. Haynes (Franklin):

H. 7. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Franklin County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Franklin County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above and foregoing bill, H. 7, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Local Legislation.

By Mr. Haynes (Franklin):

H. 8. Proposing an amendment to the Constitution of Alabama relative to Franklin County.

The above and foregoing bill, H. 8, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Local Legislation.

By Messrs. Sellers, Kaul, Faulk and Inzer:

H. 9. To provide legal counsel for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this Act.

Judiciary.

By Messrs. Sellers, Kaul, Faulk and Inzer:

H. 10. Making an additional appropriation to the Department of Examiners of Public Accounts for the fiscal year 1950-51.

Ways and Means.

By Mr. Adams (Jefferson):

H. 11. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Constitution and Elections.

By Mr. Beck:

H. 12. To make appropriation of one hundred thousand dollars (\$100,000.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the Legislature.

Ways and Means.

By Mr. Broadwater:

H. 13. Proposing an amendment to the Constitution of Alabama relating to Limestone County and the municipality of Athens, and ordering an election thereon.

The above and foregoing bill, H. 13, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Local Legislation.

By Mr. Morring:

H. 14. Relating to the compensation of the judge of the Inferior Court of any municipality in the State which has a population of not more than 15,000 and not less than 13,000 inhabitants.

Local Legislation.

By Mr. Garrett:

H. 15. Proposing an amendment to the Constitution of Alabama: To authorize the several school districts of Monroe County to levy and collect a special school tax of thirty cents on each one hundred dollars worth of taxable property; ordering an election upon the proposed amendment to be held at the general election next succeeding the adjournment of the present session of the Legislature.

The above and foregoing bill, H. 15, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Local Legislation.

By Messrs. Garrett and White (Perry):

H. 16. To amend Section 11 of Act No. 329, H. 714, approved July

1, 1943, (General Acts of Alabama, 1943, p. 311), as amended, entitled the "Farm to Market Road Act of 1943."

Transportation.

By Messrs. Brassell and Cole:

H. 17. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Judiciary.

By Mr. Shelton:

H. 18. To prohibit boards of registrars from registering persons as qualified electors within ten days prior to any primary, special or general election; and providing that meetings of the boards of registrars authorized to be held on days falling within such period may be held on another day not within such period.

Constitution and Elections.

By Mr. Black (with notice and proof):

H. 19. To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violation.

Local Legislation.

Notice and Proof H. B. 19:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

Notice is hereby given that at the Extraordinary session of the Legislature of Alabama which convened on the 19th day of June, 1950, application will be made for a special or local law, which shall be in substance as follows:

A BILL TO BE ENTITLED AN ACT

To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violation.

Be It Enacted by the Legislature of Alabama:

Section 1. APPLICATION. This act shall apply to and have application in the City of Jasper only and to the police department, the fire department, and City Clerk's office of such city.

Section 2. DEFINITIONS: As used in this act, unless the context plainly indicates a different meaning, the following words, terms and phrases shall have the meanings respectively ascribed to them: "city" means the City of Jasper; "employee" means any person (including the head of department) who is employed in the service of the city on a regular monthly salary in the city clerk's office, the fire department or the police department; "board" means the civil service board created by this act; "head of department" includes chief of the police department, chief of the fire department, and city clerk; "veteran" means any person who was honorably discharged after serving for six months or more in the armed services of the United States during World War I or World War II. Words used in the masculine gender include the feminine and neuter; the singular includes the plural, and the plural the singular.

Section 3. CIVIL SERVICE SYSTEM. All employees of the city as herein defined shall be subject to the civil service rules and regula-

tions prescribed in or promulgated pursuant to this act. Present employees and those who may hereafter be employed shall remain in their respective employments during good behavior, efficiency, and obedience to such rules and regulations as may, from time to time, be prescribed by the board and the board may by rule prescribe a retirement age for all employees; but nothing herein shall be construed to prevent or preclude the removal of an employee for cause in the manner hereinafter provided; and no present employee shall be subject to any examination in order to hold his present position.

Section 4. CIVIL SERVICE BOARD. There is created the Civil Service Board of Jasper, which shall be composed of three members designated respectively as Member No. 1, Member No. 2, and Member No. 3, each of who shall be over twenty five years of age of recognized character and ability, and an actual resident in and a qualified elector of the city. No person shall be eligible for membership on the board who holds any civil office of profit under the city, county, or state. Immediately after the passage of this act, Members No. 1, 2, and 3 shall be appointed by the city governing body. Member No. 1 shall be appointed to serve for a period of one year, Member No. 2 shall be appointed to serve for a period of two years, and Member No. 3 shall be appointed to serve for a period of three years. Each year thereafter the City governing body shall appoint one person as the successor to the member of the civil service board whose term expires that year, to serve for a period of three years. Vacancies occurring from death or resignation shall be filled by the city governing body for the unexpired term. Any member of said board whose term shall expire shall be eligible for reappointment. The board shall meet at least once a month in City Hall building on a date and at an hour to be fixed by its rules and regulations, and as often as shall be necessary for the orderly dispatch of its business. Two members of said board shall constitute a quorum. All appointments to the board shall be by unanimous vote of the governing body of the city.

Any member of the board may be removed from office at any time by a unanimous vote of such governing body.

Section 5. QUALIFICATION BY MEMBER. Every person appointed a member of the civil service board shall, within fifteen days after his appointment, qualify by making oath that he is eligible for said office and will faithfully perform the duties of the same. Such oath shall be administered by any person authorized to administer oath or by any member of the city governing body, and a copy thereof shall be filed with the city clerk.

Section 6. COMPENSATION. The compensation of each board member shall be one hundred dollars per annum, payable quarterly by the city, and the member chosen to serve as secretary of the board shall be paid an additional sum of fifty dollars per annum, payable quarterly, for his services as secretary.

Section 7. RECORDS OF THE BOARD. The board shall keep minutes of the meetings and a record of all business transacted by it. Its records, except those which the rules of the board require to be held confidential for reasons of public policy shall be open for inspection by any resident of the city at all reasonable times. The secretary shall act as the custodian of the records of the board. The police department shall furnish such clerical assistance as may be needed by the board.

Section 8. POWERS AND DUTIES OF THE BOARD. The board shall make rules and regulations to carry out the purposes of this act and to provide for examinations appointments and removals, and the board may, from time to time, make changes in its rules. The head of each department shall recommend for promotions persons to fill any vacancies that may occur in his department. All promotions shall be made by the board. The board may make rules and regulations relating to the eligibility for promotion. The board shall: (1) classify the dif-

ferent types of service to be performed in the departments of the city; (2) prescribe qualifications, including those of character, education, training and experience, for the appointees and incumbents of each class; (3) subject to approval of the city governing body, fix a maximum and minimum salary for each class; and (4) allocate each position in the service of the city to its proper class. The board shall establish rules and regulations governing dismissals, suspensions, layoffs, terminations, vacations and leaves of absence, and such rules and regulations shall govern in such matter. Except in connection with a reduction in force, demotion, suspension, or general decrease in salary of all employees in any one department, no employee's regular salary or compensation may be reduced without the approval of the board. All employees shall be appointed upon a non-partisan merit basis. In the event a reduction in force becomes necessary in any department, the order of layoff shall be inverse to the order of appointment.

Section 9. **APPOINTMENTS.** The board shall make and keep a register or list of all persons eligible and available for appointment to each class of position and all appointments shall be made from such eligible list. Persons laid off and who are eligible and available for re-employment shall be placed at the head of the proper eligible list in the inverse order of their layoffs. Employees who resign may be granted re-employment status under such circumstances and in such manner as may be provided for in the board's rules and regulations. Persons desiring appointment may file application with the board, and the board shall, from time to time, conduct examinations to test the ability and qualifications of such applicants. Except as otherwise provided herein all applicants shall be examined and examinations shall be open to all citizens of the United States, public, competitive and subject to the limitations specified by the board as to age, residence, health, height, weight, habits, moral character, and other factors pertinent to ability to fully determine the duties of the position sought. Examination shall be practical in character and shall relate to those matters which test the ability of the person examined to discharge intelligently the duties of the position for which he applies. In no case shall an appointment be made from an eligible list which is more than two years old. All applicants shall be graded. A veteran and the widow of a veteran shall have five (5) points added to his or her grade. Any veteran who is drawing compensation from the United States because of a service-connected disability shall have ten (10) points added to his grade and his wife, if he be disqualified by reason of such disability, shall have ten (10) points added to her grade. The board shall not examine or appoint any person who is not a citizen of the United States or who has been convicted of a felony or an offense involving moral turpitude.

Section 10. **APPLICATION FOR EMPLOYMENT.** All applicants for employment shall file their applications in writing with the board, said applications to be on blank forms furnished by the board. The board shall conduct all examinations, and whenever an examination is to take place shall notify the applicants in writing. Each applicant for examination shall pay to the city clerk the sum of two dollars as an examination fee, and the receipt therefor shall be attached to his application. Said sum shall be placed in the general fund of the city.

Section 11. **VACANCIES.** The city governing body shall notify the board of any vacancy which occurs in the city clerk's office, the fire department or the police department, and the board shall furnish to it the names and addresses of the three applicants standing highest on the eligible list; and one of the said applicants shall be appointed by the governing body of the city to fill such vacancy. All appointments shall be on a trial basis for a period of six months from the date of appointment. Before the expiration of said period, the head of the department concerned may, by and with the consent of the board, discharge the

appointee upon assigning in writing his reasons therefor to the board. The head of a department may be discharged before the expiration of said period by the city governing body with the approval of the board.

Section 12. DEMOTIONS OR SUSPENSIONS. A department head shall have authority in his department to demote any subordinate employee by and with the consent and approval of the board, provided, however, that upon written demand filed with the board within five days from the date of the order of demotion and the employee shall be given a public hearing by the board before any order of demotion shall be final. A department pending the hearing by the board. Any head of department may be similarly suspended or demoted by the city governing body and shall have the same right of hearing.

Section 13. REMOVAL AND DISCHARGES. No permanent employee shall be removed or discharged except for cause, upon charges filed with and decided by the board and after an opportunity has been given him to face his accusers, to be heard in his own defense, and to be represented by counsel. Written charges may be filed against any such employee by the governing body of the city or by any member thereof, or may be filed by any department head as to any subordinate employee in his department by filing a written statement of such charges with the board. Charges against any department head or any employee may be filed by any resident citizen of the city. All charges must be in writing, must set forth succinctly the matters complained of, and must be sworn to before a member of the board or before any person authorized to administer oaths. Upon the receipt of such charges, the board, after due consideration, shall determine whether in its opinion it considers that the good of the service will be served by a trial thereon; and, if not, such charges may be dismissed by the board, but if the board is of the opinion that a trial should be held thereon, the board shall hold a public hearing on the charges and take such disciplinary action as in their judgment is warranted by the evidence and under the law. All hearings before the board shall be open to the public provided that when a written waiver of a public hearing signed by the complainant and the accused employee, is filed with the board, the public may, in the discretion of the board be excluded. All testimony given in all hearings before the board shall be taken down in short hand by a stenographer furnished by the police department. In all cases, the decision of the board shall be reduced to writing and entered in the record of the case. In all proceedings before the board, the city attorney may appear and prosecute all charges instituted by the city governing body or any member thereof, or by any department head, when requested or directed to do so by such city governing body. It shall not be the duty of the city attorney to prosecute any charges brought by private citizens. In all proceedings before the board, the city attorney may appear and represent the interest of the city, and he shall also give such legal assistance to the board as may be requested by it.

If any employee against whom charges are pending willfully fails to or refuses to attend the hearing of such charges before the board, the board may proceed with the hearing in his absence and take action on the charges the same as if he were present. The board, its specially authorized representatives, and each member of the board shall have the power to administer oaths, take deposition, certify official acts, and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in connection with any hearing, investigation or proceeding within the purview of the act. In case a person refuses to obey any subpoena the board or its representatives may invoke the aid of any circuit court in order that the testimony or evidence be produced. Upon proper showing, such court shall issue a subpoena or order requiring the person to appear before the board or its representatives and produce evidence and give testimony relating to the matter in issue. A

person who fails to obey such subpoena may be punished by the court for contempt. The fees of witnesses for attendance and travel shall be the same as fees for witnesses in the circuit courts of this state, which fees shall be paid from the city treasury.

Section 14. REVIEW OF DECISION AND APPEALS. Any party, including the city governing body, aggrieved by a final decision by the circuit court of Walker County, Alabama, by filing a petition to be accompanied by such security for the costs of the appeal may be approved by the clerk of the court. Upon the filing of any such petition and approval of such security, notice thereof shall be served upon the chairman of the board by the petitioner. Such petition shall be heard by the court at the earliest practicable date. Review by the court shall be without a jury and confined to the record, including a transcript of the evidence. The court may, upon such terms and conditions as it shall deem proper, at any time before the hearing of the petition permit the taking of additional evidence before the board and allow modification of the board's findings and final decision. The court, upon a hearing of the petition, shall have power to affirm or reverse and render the decision of the board or to remand the matter to the board for further proceedings consistent with the judgment of the court. The court shall affirm the decision of the board unless it finds that the substantial rights of the petitioner have been prejudiced because the final decision of board was: (1) unsupported by substantial evidence in the record submitted; (2) in excess of the authority conferred by this act on the board; (3) violative of constitutional provisions; (4) arbitrary or capricious; (5) affected otherwise by substantial error or injustice. Within 30 days an appeal may be taken from any final judgment of such court to the Court of Appeals of Alabama or the Supreme Court of Alabama. The decision or order of the board shall not be superseded by any review or appeal and the city shall not be obligated to pay the salary of any employee who is not working during the pendency of any review or appeal.

Section 15. POLITICAL ACTIVITIES PROHIBITED. No person shall be appointed or promoted to, or dismissed from any position, or in any way favored or discriminated against with respect to employment because of his political or religious opinions or affiliations. No person shall seek or attempt to use any political endorsement in connection with any appointment to a position. No member of the board shall directly or indirectly solicit any employee for a subscription or contribution for any political organization. No employee shall be a member of any national, state, or local committee of a political party, or an official of a partisan political club, or a candidate for nomination or election to any public office, nor shall he take any part in the management or affairs of any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote. Any employee who violates any of the foregoing provisions of this Section shall suffer such disciplinary punishment as the board may direct.

Section 16. PENALTIES. The violation by any employee of any provision in this act or of any of the rules or regulation issued by the board in pursuance thereof, shall constitute an offense for which charges may be preferred against such employee as hereinabove provided and if such charges are sustained by the board after a notice and hearing as hereinabove provided such employee may be discharged or lesser disciplinary action taken against him. The board may in its discretion also decline for a period of one year to reappoint an employee who has been discharged for such cause. The board may on its own motion institute charges against an employee for the violation of any of the provisions of this act or of any of the rules or regulations issued in pursuance hereof.

Section 17. SPECIAL POLICE OFFICERS AND TEMPORARY APPOINTMENTS. The city governing body may, in an emergency, or in cases where it deems proper, authorize the chief of police to appoint for

temporary service such number of police officers as in the opinion of the city governing body the existing conditions demand. All officers so appointed shall be furnished with badges of different sizes and design from the regulation badges used by the regular members of the police force. The chief of police shall furnish the board with the names and addresses of all persons to whom he has issued special badges. From and after the effective date of this act, all outstanding commissions conferring police authority upon persons other than those who are regular members of the police department of such city shall be void. The city governing body may, in an emergency or in cases where it deems proper, authorize the head of any department named in this act, to appoint for temporary service such number of salaried employees (including part-time employees) as in the opinion of the board the existing conditions require. No such temporary appointment shall be made for a period of more than 30 days.

Section 18. CHAIRMAN OF THE BOARD. The board shall annually elect one of its members as chairman and one as secretary. All meetings of the board shall be held in the City Hall building unless otherwise provided by such board.

Section 19. PRINTING REGULA- after appointment and qualification of the members thereof, adopt and have printed such rules and regulations, in accordance with the provisions of this act, as it may deem proper. Said rules and regulations and all amendments thereafter adopted shall be kept on file in the office of the city clerk and open for public inspection. No amendment thereto shall become effective until notice of its adoption has been given for 30 days by posting a copy of the same in the vestibule of the City Hall building.

Section 20. CONSTITUTIONALITY. Each section of this act and each part of each section are hereby declared to be independent sections and parts of sections, and if any section, sentence, clause or provision of this act shall be held or declared to be unconstitutional or void, it shall not affect or destroy the validity or constitutionality of any other section, sentence, clause or provision of this act which is not of itself void or unconstitutional.

Section 21. If this act or its enforcement by the board shall be called into question in any judicial proceedings, or if any person shall fail or refuse to comply with the lawful orders of said board, such board with the approval of the city governing body may employ counsel to represent it in sustaining this act of the enforcement thereof, and the compensation of such counsel shall be paid by the city.

Section 22. EFFECTIVE DATE. This act shall take effect immediately upon its approval by the Governor, or upon its otherwise becoming a law.

Section 23. INCONSISTENT LAWS REPEALED. All laws and parts of laws inconsistent herewith are hereby repealed.

A. J. McDANAL, JR.,
Representative Place No. 2 Walker County.

6-8-50-4tc

AFFIDAVIT

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared W. I. Dove, Mgr. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice of Intention

to Apply for Local Law who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; June 8, June 15, June 22 and June 29, 1950.

W. I. DOVE,
Mgr.

Sworn and subscribed to before me this 1 day of July, 1950.

MRS. ANNIE DAVIS,
Notary Public.

By Messrs. Adams (Jefferson), Beatty, Dumas, Gibson, Kaul, Meeks and Sadler:

H. 20. To reapportion the Membership of the House of Representatives among the several Counties of the State, as required by Sections 198 and 199 of the Constitution, according to the population as shown by the decennial census of the United States for the year 1950.

Constitution and Elections.

By Mr. Dumas (by request):

H. 21. To provide that the tax anticipation bonds, warrants or certificates of indebtedness issued pursuant to a constitutional amendment proposed by Act No. 570 of 1949, General Acts of Alabama of 1949, pp. 897-899, submitted December 13, 1949, and proclaimed ratified December 21, 1949, are authorized investments for any fiduciary.

Judiciary.

By Mr. Dumas (by request):

H. 22. Relating to the taxation of property owned and used by colleges: To exempt from taxes all property owned and used by colleges for housing students, faculty members or other employees of such colleges, and to exempt property owned by colleges for enlargement of campus or for new campus.

Ways and Means.

By Mr. Dumas (by request):

H. 23. To provide a supplemental appropriation to the Teachers' Special Pension Fund.

Ways and Means.

By Mr. Adams (Jefferson):

H. 24. To reapportion the Membership of the House of Representatives among the several Counties of the State.

Constitution and Elections.

By Mr. Buckner (with notice and proof):

H. 25. Relating to Cullman County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Local Legislation.

Notice and Proof H. 25:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that at the next session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cullman County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Cullman County shall receive the following annual salaries and allowances, in lieu of all other compensations:

(a) Probate Judge—salary \$6,000, Clerk hire allowances, \$8,500.

(b) Tax Assessor—salary \$4,200, Clerk hire allowances, \$1,800.

(c) Tax Collector—salary, \$4,000, Clerk hire allowances, \$1,800.

Section 2. All fees, commission, allowances, percentages, charges and costs heretofore collected for the use of any of the officers enumerated in Section 1 of this Act shall be collected and paid into the general fund of the county. All such money collected during one calendar month shall be paid to said general fund on or before the tenth day of the following month.

Section 3. For failure to pay any money herein required to be paid to the county within the time herein fixed, the said officers shall be subject to a penalty of five per centum of the amount unlawfully withheld by him for each month the same is unlawfully withheld, said penalty to be recovered by Cullman County and converted into the general fund of the county.

Section 4. The compensation of the officers enumerated in Section 1 of this Act and of their clerks, deputies and assistants shall be paid in equal monthly installments as the salaries of their county employees are paid.

Section 5. Each of the officers enumerated in Section 1 of this Act shall select, discharge, and fix the salaries of his subordinates. But no officer shall use the allowance provided in Section 1 hereof for any purpose other than paying subordinates.

Section 6. The governing body of Cullman County is authorized to adopt rules and regulations for conducting and operating the county officers affected by this Act, if such are necessary as a result of changing the method and basis of compensation.

Section 7. The governing body of Cullman County shall provide the officers enumerated herein, with the necessary quarters, books stationery, office equipment, supplies, postage and other conveniences and equipment for the proper and efficient conduct of the affairs of their offices.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective as to the various officers affected by it, upon the expiration of the terms of office of the incumbents and upon the ratification and adoption of an amendment to the Constitution of Alabama authorizing such an Act.

7-14-21-28 Aprilc

THE STATE OF ALABAMA
CULLMAN COUNTY

Before me, Paul R. Knight a Notary Public in and for said County and State, personally appeared J. R. Rosson, publisher of The Cullman Democrat, a weekly newspaper published in Cullman, Cullman County,

Alabama, and being duly sworn, says, that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of the said newspaper of the following dates, viz April 7, 14, 21 and 28th, 1949.

J. R. ROSSON,
Publisher.

Sworn to and subscribed before me this the 28 day of July, 1950.

PAUL R. KNIGHT,
Notary Public.

MOTION TO ADJOURN LOST

The motion of Mr. Roberts to adjourn until Tuesday, August 1, 1950, at ten o'clock A. M., was lost.

Yeas 30; Nays 45.

Yeas:

Mr. Speaker	Coburn	Hankins	O'Neal
Benford	Cole	Knight	Pinkston
Bennett	Denton	McDonald	Ramey
Black	Dobbs (Fayette)	Merrill	Roberts
Brassell	Dyar	Miller	Shelton
Buckner	Evans	Nelson	Still
Busby	Garrett	Nettles	Thompson (Crenshaw)
Callahan	Gillis		

—30

Nays:

Messrs.:	Gibson	Martin	Stone
Adams (Dale)	Givhan	Mason	Taylor (Autauga)
Adams (Jefferson)	Harris	Meeks	Taylor (Hale)
Beatty	Haynes (Lowndes)	Molette	Thomas
Brown	Hornsby	Morring	Thompson (Pike)
Bush	Ingalls	Norman	Vann
Crocker	Inzer	Pinson	Wallace
Duffee	Kaul	Pruitt	Ward
Dumas	Larkins	Richardson	Whitcomb
Faulk	McClendon	Sellers	White (Perry)
Ganey	McGowin	Shirley	Wood (Bibb)
George	Malone		

—45

RECESS

On motion of Mr. Harris the House recessed until 2:30 o'clock this afternoon.

Yeas 57; Nays 12.

Yeas:

Messrs.:	Duffee	Haynes (Lowndes)	Merrill
Adams (Dale)	Dumas	Hornsby	Molette
Adams (Jefferson)	Dyar	Howell	Morring
Beatty	Evans	Ingalls	Norman
Benford	Faulk	Inzer	Pinkston
Bennett	Ganey	Kaul	Pinson
Black	Garrett	McClendon	Pruitt
Brown	George	McGowin	Ramey
Bush	Gibson	Malone	Richardson
Coburn	Givhan	Martin	Shelton
Crocker	Hankins	Mason	Stone
Denton	Harris	Meeks	Taylor (Autauga)

Taylor (Hale)	Vann	Weaver	White (Perry)
Thomas	Wallace	Whitcomb	Wood (Bibb)
Thompson (Pike)	Ward		
—57			
<i>Nays:</i>			
Mr. Speaker	Cole	Miller	Shirley
Brassell	Knight	Roberts	Still
Busby	Larkins	Sellers	Thompson (Crenshaw)
—12			

AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clayton:

S. J. R. 1. RESOLVED by the Senate, the House concurring, that the Legislature do adjourn sine die.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The motion of Mr. Norman to suspend the rules in order to bring up for immediate consideration the above and foregoing S. J. R. 1 was lost.

Yeas 38; Nays 36.

Yeas:

Messrs.:	George	McClendon	Richardson
Adams (Dale)	Gibson	McGowin	Sellers
Adams (Jefferson)	Givhan	Martin	Stone
Beatty	Harris	Mason	Taylor (Hale)
Brown	Haynes (Lowndes)	Meeks	Thomas
Crocker	Hornsby	Molette	Vann
Duffee	Ingalls	Norman	Wallace
Dumas	Inzer	Pinson	Ward
Faulk	Kaul	Pruitt	Wood (Bibb)
Ganey	Lovelace	Ramey	
—38			

Nays:

Mr. Speaker	Coburn	Haynes (Franklin)	O'Neal
Benford	Cole	Howell	Pinkston
Bennett	Cox	Knight	Roberts
Black	Denton	Larkins	Shelton
Brassell	Dyar	McDonald	Shirley
Buckner	Evans	Merrill	Still
Busby	Garrett	Miller	Thompson (Crenshaw)
Bush	Gillis	Nelson	Thompson (Pike)
Callahan	Hankins	Nettles	Weaver
—36			

And said resolution S. J. R. 1 was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion of Mr. Roberts to adjourn until Tuesday, August 1, 1950, at ten o'clock A. M., was lost.

Yeas 38; Nays 38.

Yeas:

Mr. Speaker	Cole	Haynes (Franklin)	O'Neal
Benford	Cox	Howell	Pinkston
Bennett	Denton	Knight	Ramey
Black	Dobbs (Fayette)	Larkins	Roberts
Brassell	Dyar	McDonald	Shelton
Buckner	Evans	Merrill	Still
Busby	Garrett	Miller	Thompson (Crenshaw)
Bush	George	Nelson	Thompson (Pike)
Callahan	Gillis	Nettles	Weaver
Coburn	Hankins		

—38

Nays:

Messrs.:	Gibson	McGowin	Sellers
Adams (Dale)	Givhan	Martin	Shirley
Adams (Jefferson)	Harris	Mason	Stone
Beatty	Haynes (Lowndes)	Meeks	Taylor (Hale)
Brown	Hornsby	Molette	Thomas
Crocker	Ingalls	Morring	Vann
Duffee	Inzer	Norman	Wallace
Dumas	Kaul	Pinson	Ward
Faulk	Lovellace	Pruitt	Wood (Bibb)
Ganey	McClendon	Richardson	

—38

MOTION LOST

The motion of Mr. Norman for the House to resolve itself into a Committee of the Whole for the purpose of considering all the bills introduced today, which came within the Governor's call for this Extraordinary Session, was lost.

Yeas 39; Nays 3.

Yeas:

Messrs.:	Ganey	McGowin	Sellers
Adams (Dale)	Gibson	Malone	Shirley
Adams (Jefferson)	Givhan	Martin	Stone
Beatty	Harris	Mason	Taylor (Autzuga)
Brown	Haynes (Lowndes)	Meeks	Taylor (Hale)
Bush	Hornsby	Molette	Thomas
Crocker	Ingalls	Norman	Vann
Duffee	Inzer	Pinson	Wallace
Dumas	Kaul	Pruitt	White (Perry)
Faulk	McClendon	Richardson	Wood (Bibb)

—39

Nays: Messrs. Evans, Garrett and O'Neal

—3

RESOLUTION

The following resolution was introduced:

By Mr. Merrill:

H. J. R. 10. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Journals of this Session of the Legislature, together with the Journals, Acts, etc., of the past

three Special Sessions be bound respectively with the Journals, Acts, etc., of the next session of the Legislature.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 10 was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Roberts to adjourn until Tuesday, August 1, 1950, at ten o'clock A. M., was lost.

Yeas 37; Nays 42.

Yeas:

Mr. Speaker	Cox	Haynes (Franklin)	O'Neal
Benford	Denton	Howell	Pinkston
Bennett	Dobbs (Fayette)	Knight	Ramey
Black	Dyar	Larkins	Roberts
Brassell	Evans	McDonald	Shelton
Buckner	Garrett	Merrill	Still
Busby	George	Miller	Thompson (Crenshaw)
Callahan	Gillis	Nelson	Thompson (Pike)
Coburn	Hankins	Nettles	Weaver
Cole			

—37

Nays:

Messrs.:	Gibson	Malone	Shirley
Adams (Dale)	Givhan	Martin	Stone
Adams (Jefferson)	Harris	Mason	Taylor (Autauga)
Beatty	Haynes (Lowndes)	Meeks	Taylor (Hale)
Brown	Hornsby	Molette	Thomas
Bush	Ingalls	Morring	Vann
Crocker	Inzer	Norman	Wallace
Duffee	Kaul	Pinson	Ward
Dumas	Lovelace	Pruitt	White (Perry)
Faulk	McClendon	Richardson	Wood (Bibb)
Ganey	McGowin	Sellers	

—42

MOTION LOST

The motion of Mr. Norman to renew his previous motion to resolve the House into a Committee of the Whole, was lost.

Yeas 39; Nays 1.

Yeas:

Messrs.:	Ganey	McGowin	Sellers
Adams (Dale)	Gibson	Malone	Stone
Adams (Jefferson)	Givhan	Martin	Taylor (Autauga)
Beatty	Harris	Mason	Taylor (Hale)
Brown	Haynes (Lowndes)	Meeks	Thomas
Bush	Hornsby	Molette	Thompson (Pike)
Crocker	Ingalls	Norman	Vann
Duffee	Inzer	Pinson	Ward
Dumas	Kaul	Pruitt	White (Perry)
Faulk	McClendon	Richardson	Wood (Bibb)

—39

Nays: Mr. Shirley

—1

RESOLUTION

The following resolution was introduced:

By Mr. Meeks:

H. J. R. 11. Whereas, the Birmingham Housewives Patriotic League, an organization devoted to the fight against hoarding, now requires its

members to take a pledge not to engage in the hoarding of foods, clothing, domestic necessities and tires; and

Whereas, in so doing the League is pointing the way which all housewives and other consumers in Alabama and in the other States should follow in order to restrain the present tendency towards higher prices; and

Whereas, the members of the Legislature wish to express their sincere appreciation of the efforts being made by the Birmingham Housewives Patriotic League to curb this unnecessary and disastrous stockpiling of commodities; now therefore

Be It Resolved by the House of Representatives, the Senate concurring that the genuine gratitude and most appreciative thanks of the Legislature of Alabama are hereby extended to the Birmingham Housewives Patriotic League for its service to the citizens of Birmingham and the State of Alabama.

Be It Further Resolved that this Resolution be spread upon the Journal of the House and the Journal of the Senate and that a copy be sent to Mrs. Mabel Jones West of 1400 Fulton Avenue, W. E., Birmingham, Alabama, Chairman of the Birmingham Housewives Patriotic League.

On motion of Mr. Meeks, the rules were suspended and H. J. R. 11 was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Roberts to adjourn until Tuesday, August 1, 1950, at ten o'clock A. M., was lost.

Yeas 37; Nays 41.

Yeas:

Mr. Speaker	Cox	Haynes (Franklin)	O'Neal
Benford	Denton	Howell	Pinkston
Bennett	Dobbs (Fayette)	Knight	Ramey
Black	Dyar	Larkins	Roberts
Brassell	Evans	McDonald	Shelton
Buckner	Garrett	Merrill	Still
Busby	George	Miller	Thompson (Crenshaw)
Callahan	Gillis	Nelson	Thompson (Pike)
Coburn	Hankins	Nettles	Weaver
Cole			

—37

Nays:

Messrs.:	Givhan	Martin	Shirley
Adams (Dale)	Harris	Mason	Stone
Adams (Jefferson)	Haynes (Lowndes)	Meeks	Taylor (Autauga)
Beatty	Hornsby	Molette	Taylor (Hale)
Brown	Ingalls	Morring	Thomas
Bush	Inzer	Norman	Vann
Crocker	Kaul	Pinson	Wallace
Duffee	Lovell	Pruitt	Ward
Dumas	McClendon	Richardson	White (Perry)
Faulk	McGowin	Sellers	Wood (Bibb)
Gibson	Malone		

—41

MOTION TO RECESS LOST

The motion of Mr. Harris to recess for ten minutes in order that the Speaker might call a meeting of the Rules Committee, was lost.

Yeas 43; Nays 0.

Yeas:

Messrs.:	Gibson	Malone	Shirley
Adams (Dale)	Givhan	Martin	Stone
Adams (Jefferson)	Harris	Mason	Taylor (Autauga)
Beatty	Haynes (Lowndes)	Meeks	Taylor (Hale)
Brown	Hornsby	Molette	Thomas
Bush	Ingalls	Norman	Thompson (Pike)
Crocker	Inzer	Pinson	Vann
Duffee	Kaul	Pruitt	Wallace
Dumas	Lovelace	Ramey	Ward
Faulk	McClendon	Richardson	White (Perry)
Ganey	McGowin	Sellers	Wood (Bibb)

—43

ADJOURNMENT

On motion of Mr. Thompson of Crenshaw, the House adjourned until Tuesday, August 1, 1950, at two o'clock P. M.

Yeas 44; Nays 22.

Yeas:

Mr. Speaker	Denton	McDonald	Richardson
Adams (Jefferson)	Dobbs (Fayette)	Martin	Roberts
Beatty	Duffee	Meeks	Shelton
Benford	Dyar	Merrill	Still
Bennett	Garrett	Miller	Thompson (Crenshaw)
Black	George	Morring	Thompson (Pike)
Brassell	Gillis	Nelson	Vann
Buckner	Hankins	Nettles	Wallace
Coburn	Harris	O'Neal	Weaver
Cole	Howell	Pinkston	White (Perry)
Cox	Inzer	Ramey	Wood (Bibb)

—44

Nays:

Messrs.:	Faulk	Larkins	Sellers
Adams (Dale)	Gibson	McGowin	Shirley
Brown	Givhan	Malone	Stone
Busby	Haynes (Lowndes)	Molette	Thomas
Crocker	Ingalls	Pinson	Ward
Dumas	Kaul	Pruitt	

—22

SECOND DAY

House of Representatives,
Montgomery, Alabama,
Tuesday, August 1, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend William C. Campbell, Pastor, First Christian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dumas	Kaul	Richardson
Adams (Dale)	Dyar	Knight	Roberts
Adams (Jefferson)	Faulk	Lovelace	Robinson
Beatty	Ganey	McClendon	Shelton
Benford	Garrett	McDonald	Shirley
Black	George	McGowin	Still
Brassell	Gibson	Malone	Taylor (Autauga)
Brown	Gillis	Martin	Taylor (Hale)
Buckner	Givhan	Merrill	Thagard
Busby	Hankins	Miller	Thomas
Bush	Harris	Molette	Thompson (Crenshaw)
Callahan	Harrison	Morring	Thompson (Pike)
Coburn	Haynes (Franklin)	Nelson	Wallace
Cole	Haynes (Lowndes)	O'Neal	Ward
Cox	Hornsby	Pinkston	Weaver
Denton	Howell	Pinson	White (Perry)
Dobbs (Fayette)	Ingalls	Pruitt	Wood (Bibb)
Duffee	Inzer	Ramey	Wood (Washington)

—72

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the First Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the First Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the First Legislative Day was approved.

NOTICE IN WRITING

Notice is hereby given, in accordance with Rule 34, that on the next legislative day I will move that the Rules Committee be directed to act upon and return to the House S. J. R. No. 1.

W. C. GIVHAN.

RESOLUTION

The following resolution was introduced:

By Messrs. Wallace, Wood of Washington, Roberts, Benford, Thomas and Pinkston:

H. J. R. 12. WHEREAS, the world is involved in a conflict between Communism and people who love freedom and

WHEREAS, in order to combat the menace of communism to our way of life it is going to be necessary that the peoples of the free countries band together and mobilize their entire resources as to manpower, industry and economics in order to defend themselves against the force that has been generated by countries dominated by communism and

WHEREAS, the United States of America being the arsenal of democracy and the source of power of all freedom-loving people, with vast resources both industrial and economic, and in order to preserve these resources it is necessary that the Congress of the United States enact

laws giving the President the power to mobilize our resources in order to combat the dangers to our way of life.

THEREFORE, BE IT RESOLVED BY THE HOUSE AND THE SENATE CONCURRING:

That the Congress of the United States is hereby memorialized and requested to enact legislation to effectively mobilize our resources for an all-out war effort, which mobilization shall include controls of prices to stem inflation, controls of profiteering in war industry, controls of manpower and the necessary power to mobilize our entire economic and manpower resources.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Alabama delegation in Congress, the President of the United States and the Secretary of Defense.

The motion of Mr. Wallace to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 12 was lost.

Yeas 29; Nays 36.

Yeas:

Mr. Speaker	Cox	Howell	Still
Benford	Denton	Martin	Thomas
Black	Dobbs (<i>Fayette</i>)	Merrill	Thompson (<i>Crenshaw</i>)
Brassell	Dyar	O'Neal	Wallace
Buckner	George	Pinkston	Weaver
Busby	Hankins	Ramey	White (<i>Perry</i>)
Coburn	Haynes (<i>Franklin</i>)	Roberts	Wood (<i>Washington</i>)
Cole			

—29

Nays:

Messrs.:	Givhan	McClendon	Richardson
Adams (<i>Dale</i>)	Harris	McGowin	Robinson
Beatty	Harrison	Malone	Shirley
Brown	Haynes (<i>Lowndes</i>)	Miller	Taylor (<i>Autauga</i>)
Callahan	Hornsby	Molette	Taylor (<i>Hale</i>)
Duffee	Ingalls	Morring	Thagard
Faulk	Inzer	Nettles	Thompson (<i>Pike</i>)
Ganey	Kaul	Pinson	Ward
Gibson	Lovelace	Pruitt	Wood (<i>Bibb</i>)
Gillis			

—36

And said resolution H. J. R. 12 was read and referred to the Standing Committee on Rules.

MOTION TO RECESS LOST

The motion of Mr. Pruitt that the House recess for twenty minutes in order that the Speaker might call a meeting of the Rules Committee to consider the resolution, H. J. R. 12, was lost.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Gibson	McClendon	Shirley
Adams (<i>Dale</i>)	Givhan	McGowin	Taylor (<i>Hale</i>)
Beatty	Harris	Malone	Thagard
Brown	Harrison	Martin	Thomas
Bush	Haynes (<i>Lowndes</i>)	Molette	Wallace
Duffee	Hornsby	Pinson	Ward
Dumas	Ingalls	Pruitt	White (<i>Perry</i>)
Faulk	Inzer	Richardson	Wood (<i>Bibb</i>)
Ganey	Kaul	Robinson	

—34

BILLS ON SECOND READING

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House without recommendation:

By Mr. Roberts (without recommendation):

H. 6. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. Adams (Jefferson):

H. 11. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

By Messrs. Adams (Jefferson), Beatty, Dumas, Gibson, Kaul, Meeks and Sadler:

H. 20. To reapportion the Membership of the House of Representatives among the several Counties of the State, as required by Sections 198 and 199 of the Constitution, according to the population as shown by the decennial census of the United States for the year 1950.

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with substitute:

By Mr. Adams (Jefferson) (with substitute):

H. 24. To reapportion the Membership of the House of Representatives among the several Counties of the State.

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. Miller:

H. 5. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

By Mr. Shelton:

H. 18. To prohibit boards of registrars from registering persons as qualified electors within ten days prior to any primary, special or general election; and providing that meetings of the boards of registrars authorized to be held on days falling within such period may be held on another day not within such period.

Mr. Pinkston, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Messrs. Beck and Martin:

H. 2. To amend sections 1, 2 and 5 of Act No. 317, approved December 9, 1859, entitled "An Act To Incorporate the Grand Lodge of Free

and Accepted Masons of the State of Alabama and the subordinate Lodges under its jurisdiction," as amended.

Mr. Ramey, Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Messrs. Garrett and White (Perry):

H. 16. To amend Section 11 of Act No. 329, H. 714, approved July 1, 1943, (General Acts of Alabama, 1943, p. 311), as amended, entitled the "Farm to Market Road Act of 1943."

Mr. Thomas, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. McDonald:

H. 1. To prescribe the time and manner of the nomination and election of members of the commissioners court of Coosa County, Alabama.

By Mr. Haynes (Franklin):

H. 7. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Franklin County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Franklin County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

By Mr. Haynes (Franklin):

H. 8. Proposing an amendment to the Constitution of Alabama relative to Franklin County.

By Mr. Broadwater:

H. 13. Proposing an amendment to the Constitution of Alabama relating to Limestone County and the municipality of Athens, and ordering an election thereon.

The above and foregoing bills, H. 7, H. 8, H. 13, each proposing an amendment to the Constitution, were severally read a second time at length and placed on the Calendar.

By Mr. Morring:

H. 14. Relating to the compensation of the judge of the Inferior Court of any municipality in the State which has a population of not more than 15,000 and not less than 13,000 inhabitants.

By Mr. Garrett:

H. 15. Proposing an amendment to the Constitution of Alabama: To authorize the several school districts of Monroe County to levy and collect a special school tax of thirty cents on each one hundred dollars worth of taxable property; ordering an election upon the proposed amendment to be held at the general election next succeeding the adjournment of the present session of the Legislature.

The above and foregoing bill, H. 15, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Black:

H. 19. To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violation.

By Mr. Buckner:

H. 25. Relating to Cullman County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

The above and foregoing bills, H. 6, H. 11, H. 20, H. 24, H. 5, H. 18, H. 2, H. 16, H. 1, H. 14, H. 19, and H. 25, were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Merrill:

H. 26. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one Senator from each county; ordering an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next General Election in November 1950.

The above and foregoing bill, H. 26, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Coburn:

H. 27. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Colbert County, validating Act No. 485 of the General Acts of the regular 1949 session of the Alabama Legislature.

The above and foregoing bill, H. 27, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Local Legislation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 10. Relative to binding Journals, Acts, etc., of the past three Special Sessions together with Journals, etc. of the present Special Session of the Legislature.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 11. Expressing appreciation of Alabama Legislature of efforts being made by Birmingham Housewives Patriotic League to curb unnecessary hoarding.

J. E. SPEIGHT,
Secretary.

ADJOURNMENT

On motion of Mr. Thompson of Crenshaw, the House adjourned until Wednesday, August 2, 1950, at two o'clock, P. M.

Yeas 35; Nays 31.

Yeas:

Mr. Speaker	Coburn	Gillis	O'Neal
Benford	Cole	Hankins	Pinkston
Black	Cox	Haynes (Franklin)	Roberts
Brannan	Denton	Howell	Shelton
Brassell	Dobbs (Fayette)	McDonald	Still
Buckner	Dyar	Merrill	Thompson (Crenshaw)
Busby	Ganey	Miller	Weaver
Bush	Garrett	Nelson	Wood (Washington)
Callahan	George	Nettles	

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Nays:

Messrs.:	Gibson	Martin	Taylor (Hale)
Adams (Dale)	Harris	Molette	Thagard
Adams (Jefferson)	Harrison	Morring	Thomas
Beatty	Haynes (Lowndes)	Pinson	Thompson (Pike)
Brown	Hornsby	Pruitt	Wallace
Duffee	Inzer	Richardson	Ward
Dumas	Kaul	Robinson	White (Perry)
Faulk	McGowin	Shirley	Wood (Bibb)

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THIRD DAY

House of Representatives,
Montgomery, Alabama,
Wednesday, August 2, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Lee Gallman, Pastor, Second Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Callahan	George	Knight
Adams (Dale)	Coburn	Gibson	Larkins
Adams (Jefferson)	Cole	Gillis	Lovelace
Barnett	Cox	Givhan	McClendon
Beatty	Crocker	Hankins	McDonald
Benford	Denton	Harris	McGowin
Black	Dobbs (Elmore)	Harrison	Malone
Brannan	Duffee	Haynes (Franklin)	Martin
Brassell	Dumas	Haynes (Lowndes)	Mason
Broadwater	Dyar	Hornsby	Mathison
Brown	Evans	Howell	Meeks
Buckner	Faulk	Ingalls	Merrill
Busby	Ganey	Inzer	Miller
Bush	Garrett	Kaul	Mitchell

Molette	Ramey	Stone	Vann
Morring	Richardson	Sullivan	Wallace
Nelson	Roberts	Taylor (Autauga)	Ward
Nettles	Robinson	Taylor (Hale)	Weaver
O'Neal	Sellers	Thagard	White (Perry)
Pinkston	Shelton	Thomas	Wood (Bibb)
Pinson	Sightler	Thompson (Crenshaw)	Wood (Washington)
Pruitt	Still	Thompson (Pike)	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Second Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Second Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Second Legislative Day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 11. Relative to commending the Birmingham Housewives Patriotic League, in their efforts to curb unnecessary and disastrous stockpiling of commodities.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Mr. Beck:

H. 4. To fix and provide for the payment of expenses to be allowed legislators, other than actual expenses of traveling, pursuant to Amendment LVII of the Constitution.

The above and foregoing bill, H. 4, was read a second time and placed on the Calendar.

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House without recommendation:

By Mr. Merrill (without recommendation):

H. 26. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one Senator from each county; ordering an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next General Election in November 1950.

The above and foregoing bill, H. 26, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Thomas, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Mr. Coburn:

H. 27. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Colbert County, validating Act No. 485 of the General Acts of the regular 1949 session of the Alabama Legislature.

The above and foregoing bill, H. 27, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McDonald (with notice and proof):

H. 28. For the relief of the next of kin of Eugene Ogburn.

Local Legislation.

Notice and Proof H. B. 28:

STATE OF ALABAMA COUNTY OF COOSA

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

For the Relief of the Next of Kin of Eugene Ogburn.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Coosa County is authorized and directed to pay to the next of kin of Eugene Ogburn, late of Goodwater in Coosa County, the sum of five hundred dollars (\$500) out of any funds of the county not otherwise appropriated as reimbursement for funeral expenses incurred upon the death of Eugene Ogburn who was killed in the course of his employment by the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Enterprise-Chronicle, a newspaper of general circulation published in Coosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, August 4, August 11, and August 18, all in the year 1949.

J. C. HENDERSON.

Sworn to and subscribed before me August 20, 1949.

BILLY B. SELLERS,
Notary Public.

My commission expires February 26, 1951.

By Mr. McDonald (with notice and proof):

H. 29. For the relief of the widow of P. P. Wilson.

Local Legislation.

Notice and Proof H. B. 29.

STATE OF ALABAMA
COUNTY OF COOSA

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

For the Relief of the Widow of P. P. Wilson:

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Coosa County is authorized and directed to pay to the widow of P. P. Wilson, late of Sylacauga, Route 2, in Coosa County, the sum of five hundred dollars (\$500) out of any funds of the county not otherwise appropriated as reimbursement for funeral expenses incurred upon the death of her husband who was killed in the course of his employment by the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

A18c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Enterprise-Chronicle, a newspaper of general circulation published in Coosa County, Alabama, and that the attached notice was published in said newspaper once a week for four

successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, August 4, August 11, and August 18, all in the year 1949.

J. C. HENDERSON.

Sworn to and subscribed before me August 20, 1949.

BILLY B. SELLERS,
Notary Public.

My commission expires February 26, 1951.

By Mr. Weaver (with notice and proof):

H. 30. To repeal an act entitled "An Act To withdraw and take away from the Court of County Commissioners of Winston County, Alabama, all jurisdiction over public roads and bridges and public road and bridge funds in said county; to create and establish a Highway Board for said county to be composed of five members, one of whom shall be Chairman, all to be appointed by the Governor of Alabama from the county at large; and to invest said Highway Board with jurisdiction, authority and power over public roads and bridges and over public road and bridge funds in and for said county; to provide for the terms of office and compensation of said members; to provide for a secretary and treasurer of said Board and to fix his compensation; to define the powers, jurisdiction, duties, authority, and responsibilities of said Board and of the Chairman thereof and to regulate purchases made by said Board and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama." approved September 5, 1939, (Act No. 333, H. 815, Mayhall; Local Acts, 1939, pages 221-225); to create and establish a Board of Revenue for Winston County, Alabama, to be composed of five members, one of whom shall be chairman; to invest said Board of Revenue with exclusive jurisdiction, authority, and power over public roads and bridges and over public road and bridge funds in and for said county; to define the powers, jurisdiction, authority, duties, and responsibilities of said Board of Revenue and its members (including its chairman) to divide Winston County into five civil districts; to provide for the election of one member of said Board of Revenue from each of said civil districts at the general election to be held in November, 1956, and every six years thereafter; to provide for the filling of vacancies in said offices by appointment by the Governor of Alabama; to provide that the members of the Winston County Highway Board as constituted at the time of the passage of this act shall constitute the members of said Board of Revenue until the first Tuesday after the second Monday in January, 1957, and until their successors are elected and qualified; to fix the qualifications of the members and chairman of said Board of Revenue; to fix the term of office of said members at six years, such terms to begin on the first Tuesday after the second Monday in January of the year 1957 and every sixth year thereafter; to fix the compensation of the members and chairman of said board at the same rate which has heretofore been provided for the members of the Winston County Highway Board until the first Tuesday after the second Monday in January, 1951, after which date the compensation of each member, including the chairman, shall be \$225.00 per month; to provide where the members of said Board shall reside during their terms of office; to provide the times when said board shall meet; to provide for a Secretary and Treasurer of said Board to be appointed by said Board, and to define his duties and fix his compensation at the same rate which has heretofore been provided for the Secretary and Treasurer of the Highway Board of said County, until the first Tuesday after the second Monday in January, 1951, after which date such salary shall be \$175.00 per month; to regulate purchase made by said Board of Revenue, and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama.

Local Legislation.

Notice and Proof H. B. 30:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama, at the next special called session of 1950, for the passage of a local act, in and for Winston County, Alabama, in substance as follows:

A BILL TO BE ENTITLED AN ACT

To repeal an act entitled "An Act To withdraw and take away from the Court of County Commissioners of Winston County, Alabama, all jurisdiction over public roads and bridges and public road and bridge funds in said county; to create and establish a Highway Board for said county to be composed of five members, one of whom shall be Chairman, all to be appointed by the Governor of Alabama from the county at large; and to invest said Highway Board with jurisdiction, authority and power over public roads and bridges and over public road and bridge funds in and for said county; to provide for the terms of office and compensation of said members; to provide for a secretary and treasurer of said Board and to fix his compensation; to define the powers, jurisdiction, duties, authority, and responsibilities of said Board and of the Chairman thereof and to regulate purchases made by said Board and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama," approved September 5, 1939, (Act No. 333, H. 815, Mayhall; Local Acts, 1939, pages 221-225); to create and establish a Board of Revenue for Winston County, Alabama, to be composed of five members, one of whom shall be chairman; to invest said Board of Revenue with exclusive jurisdiction, authority, and power over public roads and bridges and over public road and bridge funds in and for said county; to define the powers, jurisdiction, authority, duties, and responsibilities of said Board of Revenue and its members (including its chairman) to divide Winston County into five civil districts; to provide for the election of one member of said Board of Revenue from each of said civil districts at the general election to be held in November, 1956, and every six years thereafter; to provide for the filling of vacancies in said offices by appointment by the Governor of Alabama; to provide that the members of the Winston County Highway Board as constituted at the time of the passage of this act shall constitute the members of said Board of Revenue until the first Tuesday after the second Monday in January, 1957, and until their successors are elected and qualified; to fix the qualifications of the members and chairman of said Board of Revenue until the fice of said members at six years, such terms to begin on the first Tuesday after the second Monday in January of the year 1957 and every sixth year thereafter; to fix the compensation of the members and chairman of said board at the same rate which has heretofore been provided for the members of the Winston County Highway Board until the first Tuesday after the second Monday in January, 1951, after which date the compensation of each member, including the chairman, shall be \$225.00 per month; to provide where the members of said Board shall reside during their terms of office; to provide the times when said board shall meet; to provide for a Secretary and Treasurer of said Board to be appointed by said Board, and to define his duties and fix his compensation at the same rate which has heretofore been provided for the Secretary and Treasurer of the Highway Board of said County, until the first Tuesday after the second Monday in January, 1951, after which date such salary shall be \$175.00 per month; to regulate purchase made by said Board of Revenue, and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton, I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published twice weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 7 day of July, 1950, and the last copy of said publication appearing in the said paper on the 28 day of July, 1950.

JAY THORNTON.

Sworn and subscribed to before me this 1st day of Aug., 1950.

R. S. THORNTON,
Notary Public.

Commission expires July, 1954.

By Mr. Brannan:

H. 31. To amend Section 94, Title 5, Code of 1940.

Business and Labor.

By Mr. Brannan:

H. 32. To amend Section 90, Title 5, Code of Alabama 1940.

Business and Labor.

MOTION IN WRITING BY MR. GIVHAN

Notice in writing having been given on the preceeding Legislative day of intention to so do, I now move that the House direct the Rules Committee of the House to act on Senate Joint Resolution 1, and to report the same to the House at its next sitting.

POINT OF ORDER

The point of order raised by Mr. Roberts that House Rule 34 refers only to bills and not to resolutions was sustained by the Chair.

MOTION WITHDRAWN

The motion of Mr. Givhan directing the Rules Committee to act on Senate Joint Resolution 1 and to report the same to the House at its next sitting was withdrawn.

MOTION TO RECESS LOST

The motion of Mr. Givhan that the House recess for twenty minutes, was lost.

Yeas 45; Nays 2.

Yeas:

Messrs.:	Bush	Givhan	McClendon
Adams (Dale)	Crocker	Harris	McGowin
Barnett	Dobbs (Elmore)	Harrison	Malone
Beatty	Duffee	Haynes (Lowndes)	Martin
Brannan	Dumas	Hornsby	Mason
Broadwater	Faulk	Ingalls	Meeks
Brown	Ganey	Inzer	Miller
Busby	Gibson	Kaul	Molette

Morring	Robinson	Taylor (Hale)	Ward	—45
Pinson	Sellers	Thagard	White (Perry)	
Pruitt	Stone	Vann	Wood (Bibb)	
Richardson	Sullivan			
Nays: Messrs. Larkins and Wallace				—2

MOTION IN WRITING BY MR. INGALLS

I move that H. B. No. 4 favorably reported by the Judiciary Committee be recommended to the Ways and Means Committee.

MOTION LOST

And the motion of Mr. Ingalls to recommit the bill, H. 4, to the Standing Committee on Ways and Means was lost.

Yeas 39; Nays 3.

Yeas:

Messrs.:	Gibson	Malone	Robinson	—39
Adams (Dale)	Givhan	Martin	Sellers	
Barnett	Harris	Mason	Sightler	
Beatty	Harrison	Meeks	Stone	
Brannan	Haynes (Lowndes)	Miller	Sullivan	
Brown	Hornsby	Molette	Taylor (Hale)	
Duffee	Ingalls	Pinson	Thagard	
Dumas	Kaul	Pruitt	Thomas	
Faulk	McClendon	Ramey	Ward	
Ganey	McGowin	Richardson	Wood (Bibb)	

Nays: Messrs. Inzer, Vann and Wallace —3

PROTEST BY MR. DUMAS

The Chairman of the Committee on Judiciary stated that the Standing Committee on the Judiciary had not acted on H. B. No. 4. I therefore protest its receiving its second reading and move that this protest be entered in the Journal

The above protest was read and ordered spread upon the Journal.

BILLS ON THIRD READING

H. 1. To prescribe the time and manner of the nomination and election of members of the commissioners court of Coosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Cox	Haynes (Franklin)	Miller
Adams (Jefferson)	Crocker	Hornsby	Mitchell
Barnett	Denton	Howell	Morring
Benford	Dobbs (Elmore)	Inzer	Nelson
Black	Dyar	Knight	Nettles
Brassell	Evans	Larkins	O'Neal
Broadwater	Ganey	McClendon	Pinkston
Buckner	Garrett	McDonald	Pinson
Callahan	George	Martin	Ramey
Coburn	Gillis	Mathison	Roberts
Cole	Hankins	Merrill	Shelton

Sightler	Thompson (Crenshaw)	Wallace	Weaver
Still	Thompson (Pike)	Ward	Wood (Washington)
Taylor (Autauga)	Vann		

—54

And the bill:

H. 19. To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violation.

Was read a third time at length and lost.

Yeas 52; Nays 1.

Yeas:

Mr. Speaker	Crocker	Larkins	Ramey
Adams (Jefferson)	Denton	McClendon	Roberts
Beatty	Dobbs (Elmore)	McDonald	Shelton
Benford	Dyar	Martin	Sightler
Black	Evans	Mathison	Still
Brannan	Ganey	Meeks	Taylor (Autauga)
Brassell	Garrett	Merrill	Thompson (Crenshaw)
Broadwater	George	Miller	Thompson (Pike)
Buckner	Gillis	Mitchell	Vann
Callahan	Hankins	Morring	Wallace
Coburn	Haynes (Franklin)	Nelson	Ward
Cole	Howell	Nettles	Weaver
Cox	Inzer	O'Neal	Wood (Washington)

—52

Nays: Mr. Dumas

—1

RESOLUTION

The following resolution was introduced:

By Messrs. Morring, Merrill and Adams of Jefferson:

H. J. R. 13. WHEREAS, the proposal in the form of a bill for sixty-seven senators for the State of Alabama, with the basic idea of one senator in each county in the State, has failed of passage repeatedly; and

WHEREAS, reapportionment of the House of Representatives has likewise failed of passage repeatedly; and

WHEREAS, any approach heretofore made to the problem of reapportioning either of the two Houses separately has failed for lack of breadth and scope in the thinking represented and the proposals relative to the two Houses; and

WHEREAS, the principal objection which has appeared on the surface to the proposal of a senator for each county has been the inequity of the over-all representation contained within the sixty-seven senators which would then comprise the Senate between the large and smaller counties; and

WHEREAS, the principal objection which has appeared on the surface relative to proposals for reapportionment of the House of Representatives upon a population basis has likewise been based upon the inequities of representation between the large and smaller counties; and

WHEREAS, the basic inequities concerning the Senate composed of sixty-seven members as proposed has to do with the expected spending which could, on this proposal alone, be controlled by the smaller and less populous counties; and

WHEREAS, it is basic that those who pay shall constitutionally have a voice in the spending of that which is paid into the state treasury; and

WHEREAS, no one person has been found competent heretofore of thinking on a broad enough scope to submit a bill which fully meets the problem of reapportionment to the best interests of good government in the State of Alabama; now therefore

Be it resolved by the House of Representatives, the Senate concurring, that a conference committee to be composed of five members from the House of Representatives of the Legislature of the State of Alabama and five members of the Senate of the Legislature of the State of Alabama, to be appointed by the Speaker of the House and the Presiding Officer of the Senate respectively, no more than one from each congressional district so far as practicable, shall be appointed for the purpose of collectively working to devise an equitable reapportionment of the House of Representatives based upon the population of the several counties of this sovereign State of Alabama and the reapportionment of the Senate and that in their several judgments is deemed equitable.

Be it further resolved, that upon the passage of this Resolution the Legislature now assembled in Special Session shall be recessed from Wednesday, August 2, to Wednesday, August 16, to afford time for the deliberation of the Committee as aforesaid.

And be it further resolved, that upon the reconvening of the Legislature this Committee shall report to the respective Houses their findings and, if possible, a bill or bills representing the collective thinking of the Committee to accomplish the two purposes as aforesaid.

And be it further resolved, that the members appointed to serve on the Committee herein provided for shall, during the time of their services, receive salary and expenses at the rate provided for regular sessions, together with the necessary clerical help, provided that no other member of the Legislature shall be paid during said recess.

The motion of Mr. Morring to suspend the rules in order to place the above and foregoing resolution, H. J. R. 13, for immediate adoption, was lost.

Yeas 17; Nays 24.

Yeas:

Mr. Speaker	Denton	Merrill	Shelton
Adams (Jefferson)	Hankins	Miller	Thompson (Crenshaw)
Benford	Haynes (Franklin)	Morring	Vann
Brannan	McGowin	Roberts	Weaver
Broadwater			

—17

Nays:

Messrs.:	Howell	Molette	Taylor (Hale)
Beatty	Inzer	Pinson	Thagard
Buckner	Lovelace	Ramey	Thomas
Faulk	Malone	Sellers	Wallace
Givhan	Martin	Stone	Ward
Haynes (Lowndes)	Mason	Taylor (Autauga)	Wood (Bibb)
Hornsby			

—24

And said resolution H. J. R. 13 was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 6. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Was taken up.

The motion of Mr. Roberts to postpone further consideration of the bill, H. 6, until the next Legislative Day, was lost.

Yeas 31; Nays 18.

Yeas:

Mr. Speaker	Cox	Mathison	Shelton
Benford	Dyar	Meeks	Still
Black	George	Merrill	Thompson (Crenshaw)
Brassell	Hankins	Miller	Thompson (Pike)
Buckner	Haynes (Franklin)	Mitchell	Wallace
Callahan	Howell	Nelson	Weaver
Coburn	Larkins	Nettles	Wood (Washington)
Cole	McDonald	Roberts	—31

Nays:

Messrs.:	Haynes (Lowndes)	Malone	Sightler
Beatty	Hornsby	Martin	Thagard
Brown	Ingalls	Mason	Thomas
Faulk	Kaul	Pinson	Ward
Gibson	McGowin	Richardson	—18

And the bill, H. 6, was read a third time at length and lost.

Yeas 19; Nays 8.

Yeas:

Mr. Speaker	Coburn	Howell	Still
Benford	Cox	Merrill	Thompson (Crenshaw)
Black	Dyar	Miller	Weaver
Brassell	Hankins	O'Neal	Wood (Washington)
Buckner	Haynes (Franklin)	Roberts	—19

Nays:

Messrs.:	Inzer	Martin	Shelton
Denton	Kaul	Meeks	Taylor (Autauga)
Dumas			—8

MOTION TO ADJOURN LOST

The motion of Mr. Wood of Washington to adjourn until Thursday, August 3, 1950, at ten o'clock, A. M., was lost.

Yeas 18; Nays 55.

Yeas:

Mr. Speaker	Coburn	Howell	Nelson
Benford	Dobbs (Elmore)	McDonald	Roberts
Black	Evans	Merrill	Still
Buckner	Hankins	Mitchell	Wood (Washington)
Callahan	Haynes (Franklin)		—18

Nays:

Messrs.:	Broadwater	Duffee	George
Adams (Dale)	Brown	Dumas	Gibson
Adams (Jefferson)	Bush	Dyar	Gillis
Barnett	Cox	Faulk	Givhan
Beatty	Crocker	Ganey	Harris
Brannan	Denton	Garrett	Harrison

Haynes (Lowndes)	Malone	Pruitt	Taylor (Hale)
Hornsby	Martin	Richardson	Thagard
Ingalls	Mason	Robinson	Thomas
Inzer	Meeks	Sellers	Thompson (Pike)
Kaul	Miller	Sightler	Vann
Lovelace	Molette	Stone	Ward
McClendon	Morring	Sullivan	Weaver
McGowin	Pinson	Taylor (Autauga)	Wood (Bibb)

—55

BILLS ON THIRD READING RESUMED

H. 11. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Was taken up.

Mr. Adams of Jefferson offered the following substitute for the bill,
H. 11:

A BILL TO BE ENTITLED AN ACT

Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of thirty-five (35) senators representing thirty-five (35) senatorial districts. Each district shall be entitled to one senator, and no more.

Section 2. The State is hereby divided, as follows: into thirty-five (35) senatorial districts, which districts are as nearly equal to each other in the number of inhabitants as may be, having regard to the requirements of Article IX of the Constitution of Alabama that no county shall be divided between two districts and that no district shall be made up of two or more counties not contiguous to each other:

First District, the counties of Lauderdale and Limestone; Second District, the counties of Madison and Jackson; Third District, the counties of Lawrence and Morgan; Fourth District, the counties of Colbert and Franklin; Fifth District, the counties of Calhoun and Cleburne; Sixth District, the counties of Marion and Winston; Seventh District, the counties of DeKalb and Cherokee; Eighth District, the counties of Lamar and Pickens; Ninth District, the counties of Fayette and Walker; Tenth Districts, the counties of Etowah and Marshall; Eleventh District, the counties of Blount and Cullman; Twelfth District, the counties of Saint Clair and Talladega; Thirteenth District, the county of Jefferson; Fourteenth District, the counties of Bibb and Tuscaloosa; Fifteenth District, the counties of Chilton and Shelby; Sixteenth District, the counties of Chambers and Randolph; Seventeenth District, the counties of Clay and Coosa; Eighteenth District, the counties of Macon and Tallapoosa; Nineteenth District, the counties of Lee and Russell; Twentieth District, the county of Mobile; Twenty-first District, the counties of Henry and Houston; Twenty-second District, the counties of Barbour and Bullock; Twenty-third District, the counties of Crenshaw and Pike; Twenty-fourth District, the counties of Coffee and Dale; Twenty-fifth District, the counties of Butler and Lowndes; Twenty-sixth District, the counties of Autauga and Elmore; Twenty-seventh District, the counties of Covington and Geneva; Twenty-eighth District, the counties of Conecuh and Escambia; Twenty-ninth District, the counties of Baldwin and Monroe; Thirtieth District, the counties of Choctaw and Washington; Thirty-first District, the counties of Clarke and Wilcox; Thirty-second District, the

counties of Dallas and Perry; Thirty-third District, the counties of Greene and Hale; Thirty-fourth District, the counties of Marengo and Sumter; and the Thirty-fifth District the county of Montgomery.

Provided, that in districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such Districts shall reside in the county having the largest population.

Section 3. The senators provided for in this Act shall be elected by the qualified electors of the several districts on the first Tuesday after the first Monday in November in the year 1954 and every fourth year thereafter.

Section 4. The provisions of this Act are severable. Should any part be declared invalid, such declaration shall not affect the remainder.

Section 5. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was lost.

Yeas 45; Nays 4.

Yeas:

Mr. Speaker	Cox	Knight	O'Neal
Adams (Jefferson)	Denton	Larkins	Roberts
Barnett	Dobbs (Elmore)	Loveland	Shelton
Beatty	Dyar	McClendon	Still
Benford	Evans	McDonald	Taylor (Autauga)
Brannan	Garrett	Mathison	Thomas
Brassell	George	Meeks	Thompson (Crenshaw)
Buckner	Gillis	Merrill	Thompson (Pike)
Busby	Hankins	Mitchell	Wallace
Bush	Howell	Nelson	Weaver
Coburn	Inzer	Nettles	Wood (Washington)
Cole			—45

Nays:

Messrs.:	Miller	Ramey	Sightler
Martin			—4

MOTION LOST

The motion of Mr. Adams of Jefferson to postpone further consideration of the bill, H. 11, temporarily, was lost.

Yeas 46; Nays 1.

Yeas:

Mr. Speaker	Cox	Larkins	O'Neal
Adams (Jefferson)	Denton	Loveland	Roberts
Barnett	Dobbs (Elmore)	McClendon	Shelton
Beatty	Dyar	McDonald	Sightler
Benford	Evans	Mathison	Still
Black	Garrett	Meeks	Taylor (Autauga)
Brannan	George	Merrill	Thompson (Crenshaw)
Brassell	Gillis	Miller	Thompson (Pike)
Buckner	Hankins	Mitchell	Wallace
Bush	Haynes (Franklin)	Nelson	Weaver
Coburn	Howell	Nettles	Wood (Washington)
Cole	Inzer		—46

Nays: Mr. Thomas —1

MOTION TO ADJOURN LOST

The motion of Mr. Adams of Jefferson to adjourn until Thursday, August 3, 1950, at ten o'clock A. M., was lost.

Yeas 37; Nays 44.

Yeas:

Mr. Speaker	Cox	Knight	Nettles
Adams (Jefferson)	Dobbs (Elmore)	Larkins	O'Neal
Benford	Dyar	McDonald	Roberts
Black	Evans	Mathison	Shelton
Brassell	Garrett	Meeks	Still
Buckner	George	Merrill	Thompson (Crenshaw)
Bush	Hankins	Miller	Thompson (Pike)
Callahan	Haynes (Franklin)	Mitchell	Weaver
Coburn	Howell	Nelson	Wood (Washington)
Cole			

—37

Nays:

Messrs.:	Gibson	Malone	Sightler
Adams (Dale)	Givhan	Martin	Stone
Beatty	Harris	Mason	Sullivan
Brannan	Harrison	Molette	Taylor (Autauga)
Broadwater	Haynes (Lowndes)	Morring	Taylor (Hale)
Brown	Hornsby	Pinson	Thagard
Busby	Ingalls	Pruitt	Thomas
Crocker	Inzer	Ramey	Vann
Denton	Kaul	Richardson	Wallace
Duffee	McClendon	Robinson	Ward
Faulk	McGowin	Sellers	Wood (Bibb)
Ganey			

—44

Mr. Adams of Jefferson offered the following substitute for the bill, H. 11:

A BILL
TO BE ENTITLED
AN ACT

Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of thirty-five (35) senators representing thirty-five (35) senatorial districts. Each district shall be entitled to one senator, and no more.

Section 2. The State is hereby divided, as follows: into thirty-five (35) senatorial districts, which districts are as nearly equal to each other in the number of inhabitants as may be, having regard to the requirements of Article IX of the Constitution of Alabama that no county shall be divided between two districts and that no district shall be made up of two or more counties not contiguous to each other:

First District, the counties of Lauderdale and Limestone; Second District, the counties of Madison and Jackson; Third District, the counties of Lawrence and Morgan; Fourth District, the counties of Colbert and Franklin; Fifth District, the counties of Calhoun and Cleburne; Sixth District, the counties of Marion and Winston; Seventh District, the counties of DeKalb and Cherokee; Eighth District, the counties of Lamar and Pickens; Ninth District, the counties of Fayette and Walker; Tenth Districts, the counties of Etowah and Marshall; Eleventh District, the counties of Blount and Cullman; Twelfth District, the counties of Saint

Clair and Talladega; Thirteenth District, the county of Jefferson; Fourteenth District, the counties of Bibb and Tuscaloosa; Fifteenth District, the counties of Chilton and Shelby; Sixteenth District, the counties of Chambers and Randolph; Seventeenth District, the counties of Clay and Coosa; Eighteenth District, the counties of Macon and Tallapoosa; Nineteenth District, the counties of Lee and Russell; Twentieth District, the county of Mobile; Twen-first District, the counties of Henry and Houston; Twenty-second District, the counties of Barbour and Bullock; Twenty-third District, the counties of Crenshaw and Pike; Twenty-fourth District, the counties of Coffee and Dale; Twenty-fifth District, the counties of Butler and Lowndes; Twenty-sixth District, the counties of Autauga and Elmore; Twenty-seventh District, the counties of Covington and Geneva; Twenty-eighth District, the counties of Conecuh and Escambia; Twenty-ninth District, the counties of Baldwin and Monroe; Thirtieth District, the counties of Choctaw and Washington; Thirty-first District, the counties of Clarke and Wilcox; Thirty-second District, the counties of Dallas and Perry; Thirty-Third District, the counties of Greene and Hale; Thirty-fourth District, the counties of Marengo and Sumter; and the Thirty-fifth District the county of Montgomery.

Provided, that in districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such Districts shall reside in the county having the largest population, except where that County had the last preceding Senator.

Section 3. The senators provided for in this Act shall be elected by the qualified electors of the several districts on the first Tuesday after the first Monday in November in the year 1954 and every fourth year thereafter.

Section 4. The provisions of this Act are severable. Should any part be declared invalid, such declaration shall not affect the remainder.

Section 5. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was lost.

Yeas 42; Nays 1.

Yeas:

Mr. Speaker	Cole	Howell	O'Neal
Adams (Jefferson)	Cox	Inzer	Roberts
Beatty	Denton	Knight	Shelton
Benford	Dobbs (Elmore)	McClendon	Still
Black	Dyar	Meeks	Taylor (Autauga)
Brannan	Evans	Merrill	Thomas
Brassell	Garrett	Miller	Thompson (Pike)
Buckner	George	Mitchell	Wallace
Busby	Gillis	Nelson	Weaver
Bush	Hankins	Nettles	Wood (Washington)
Coburn	Haynes (Franklin)		

—42

Nays: Mr. Martin

—1

MOTION LOST

The motion of Mr. Adams of Jefferson to postpone further consideration of the bill, H. 11, until the next Legislative Day, was lost.

Yeas 41; Nays 5.

Yeas:

Mr. Speaker	Coburn	Haynes (Franklin)	Nettles
Adams (Jefferson)	Cole	Howell	O'Neal
Barnett	Cox	Inzer	Roberts
Beatty	Denton	Knight	Shelton
Benford	Dyar	McDonald	Still
Black	Evans	Meeks	Taylor (Autauga)
Brannan	Garrett	Merrill	Thompson (Crenshaw)
Brassell	George	Miller	Thompson (Pike)
Buckner	Gillis	Mitchell	Weaver
Busby	Hankins	Nelson	Wood (Washington)
Bush			—41

Nays:

Messrs.:	Ramey	Thomas	Wallace
Martin	Sightler		—5

The motion of Mr. Adams of Jefferson to indefinitely postpone the bill, H. 11, was lost.

Yeas 21; Nays 19.

Yeas:

Messrs.:	Ganey	Inzer	Sightler
Beatty	Garrett	Martin	Thomas
Brown	George	Ramey	Thompson (Pike)
Callahan	Gillis	Robinson	Wallace
Crocker	Haynes (Lowndes)	Shelton	Ward
Evans	Howell		—21

Nays:

Mr. Speaker	Busby	Merrill	Roberts
Adams (Jefferson)	Bush	Miller	Still
Benford	Cole	Mitchell	Vann
Black	Dyar	Nelson	Wood (Washington)
Brassell	Meeks	Nettles	—19

POINT OF ORDER

Mr. Stone rose to a point of order and suggested that in the absence of a quorum's voting that a roll of the House be called, and the Speaker so ruled.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Ganey	McGowin	Sellers
Adams (Dale)	Garrett	Malone	Shelton
Adams (Jefferson)	Gibson	Martin	Sightler
Beatty	Gillis	Mason	Stone
Brannan	Givhan	Meeks	Sullivan
Broadwater	Harris	Molette	Taylor (Autauga)
Brown	Harrison	Morring	Taylor (Hale)
Buckner	Haynes (Lowndes)	Nettles	Thagard
Coburn	Hornsby	O'Neal	Vann
Crocker	Ingalls	Pinson	Wallace
Denton	Inzer	Pruitt	Ward
Dobbs (EImore)	Kaul	Ramey	Weaver
Dumas	Lovelace	Richardson	Wood (Bibb)
Faulk	McClendon	Robinson	—55

A quorum was present.

RECESS

On motion of Mr. Pruitt, the House recessed for ten minutes.

The House reconvened. The Speaker called the House to order.

MOTION TO ADJOURN LOST

The motion of Mr. Coburn to adjourn until Thursday, August 3, 1950, at ten o'clock A. M., was lost.

Yeas 22; Nays 44.

Yeas:

Mr. Speaker	Coburn	Howell	Nettles
Benford	Cole	McDonald	O'Neal
Black	Garrett	Mathison	Shelton
Brassell	Gillis	Mitchell	Still
Buckner	Hankins	Nelson	Weaver
Busby	Haynes (Franklin)		

—22

Nays:

Messrs.:	George	McGowin	Sightler
Adams (Dale)	Gibson	Malone	Stone
Adams (Jefferson)	Givhan	Martin	Sullivan
Barnett	Harris	Mason	Taylor (Hale)
Beatty	Harrison	Molette	Thagard
Broadwater	Haynes (Lowndes)	Morring	Thomas
Brown	Hornsby	Pinson	Thompson (Pike)
Bush	Ingalls	Pruitt	Vann
Duffee	Inzer	Richardson	Wallace
Dumas	Kaul	Robinson	Ward
Faulk	McClendon	Sellers	Wood (Bibb)
Ganey			

—44

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Kimbrell:

S. B. 11. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Fayette County and Houston, Blount and Crenshaw Counties to acquire and dispose of all kinds of property, to promote the development of the municipalities in Fayette County and Houston, Blount and Crenshaw Counties the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 11, the title to which is set out in the above and foregoing Message from the Senate, proposing an amendment to the Constitution, was read one time at length, and referred to the Standing Committee on Local Legislation.

CONSIDERATION OF H. 11 RESUMED

H. 11. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Was read a third time at length and lost.

Yeas 39; Nays 7.

Yeas:

Mr. Speaker	Cox	Knight	Nettles
Adams (Jefferson)	Denton	Larkins	Roberts
Beatty	Dobbs (Elmore)	Loveland	Sightler
Benford	Dyar	McClendon	Still
Brannan	Evans	Malone	Taylor (Autauga)
Brassell	Garrett	Mathison	Thompson (Crenshaw)
Buckner	Gillis	Meeks	Thompson (Pike)
Bush	Hankins	Merrill	Weaver
Coburn	Haynes (Franklin)	Miller	Wood (Washington)
Cole	Inzer	Mitchell	—39

Nays:

Messrs.:	Ganey	Howell	Ramey
Crocker	George	Martin	Wallace
			—7

And the bill:

H. 20. To reapportion the Membership of the House of Representatives among the several Counties of the State, as required by Sections 198 and 199 of the Constitution, according to the population as shown by the decennial census of the United States for the year 1950.

Was read a third time at length and lost.

Yeas 25; Nays 5.

Yeas:

Mr. Speaker	Denton	Howell	Morring
Adams (Jefferson)	Dumas	Inzer	Roberts
Barnett	Dyar	Kaul	Shelton
Beatty	Gibson	Meeks	Taylor (Autauga)
Buckner	Hankins	Merrill	Vann
Callahan	Haynes (Franklin)	Miller	Weaver
Cox			—25

Nays:

Messrs.:	Knight	Mathison	Ramey
Bush	Martin		—5

And the bill:

(with substitute):

H. 24. To reapportion the Membership of the House of Representatives among the several Counties of the State.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Constitution and Elections, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To reapportion the Membership of the House of Representatives among the several Counties of the State.

WHEREAS, each member of the Legislature has taken a solemn oath to support the Constitution of Alabama and to discharge faithfully and honestly the duties of his office;

WHEREAS, Section 198 and 199 of the Constitution of 1901 make it the duty of the Legislature at its first session after the decennial census of 1910 and after each subsequent decennial census to fix by law the number of representatives and apportion them among the several counties of the State, according to population with the proviso that each county shall have at least one representative;

WHEREAS, section 198 of the Constitution of 1901 limits the total number of representatives to 105 with one additional representative for Houston County, which was created as a new county after 1901, making a total maximum of 106 representatives allowed by the Constitution;

WHEREAS, Prior legislatures have failed to perform their constitutional duty to reapportion the members of the House of Representatives among the several counties after the 1910 census and again after the 1920 census and again after the 1930 census and again after the 1940 census;

WHEREAS, shifts in population since 1940 make the varying ratios of representation to population even more disproportionate and unfair at this date;

WHEREAS, this disproportionate representation of the several counties in the House of Representatives amounts to taxation without representation; therefore

Be It Enacted by the Legislature of Alabama:

Section 1. The house of representatives shall consist of one hundred and six members apportioned among the several counties of the State, according to the number of inhabitants in them as ascertained by the 1950 federal census, as follows:

County	Population	Number Representatives
Coosa	11,771	1
Cleburne	11,976	1
Washington	15,612	1
Clay	13,541	1
Winston	18,226	1
Greene	16,463	1
Lamar	16,423	1
Bullock	16,075	1
Cherokee	17,455	1
Bibb	17,955	1
Choctaw	19,189	1
Autauga	18,177	1
Fayette	19,393	1
Henry	18,661	1
Lowndes	18,034	1
Dale	20,824	1
Crenshaw	19,013	1
Conecuh	21,807	1
Randolph	22,545	1

County	Population	Number Representatives
Hale	20,829	1
Wilcox	23,451	1
Perry	20,442	1
Sumter	23,628	1
St. Clair	26,636	1
Franklin	25,790	1
Clarke	26,533	1
Macon	30,696	1
Pickens	24,386	1
Lawrence	27,141	1
Chilton	26,841	1
Marion	27,285	1
Shelby	30,375	1
Geneva	25,928	1
Monroe	25,732	1
Blount	28,997	1
Escambia	31,463	1
Coffee	30,713	1
Butler	29,299	1
Pike	30,599	1
Barbour	27,347	1
Colbert	39,413	1
Elmore	31,672	1
Tallapoosa	34,666	1
Limestone	35,712	1
Marengo	29,467	1
Jackson	38,795	1
Chambers	39,560	1
Baldwin	41,046	2
Russell	40,469	2
Lee	45,054	2
Marshall	45,098	2
Covington	40,333	2
DeKalb	45,088	2
Houston	46,550	2
Lauderdale	54,813	2
Cullman	49,050	2
Morgan	52,861	2
Dallas	55,992	2
Talladega	63,764	3
Calhoun	79,783	3
Walker	63,652	3
Madison	73,032	3
Etowah	94,173	3
Tuscaloosa	94,017	3
Montgomery	138,129	4
Mobile	227,408	5
Jefferson	554,393	10

106

(Constitutional Limit)

Section 2. The representatives provided for in this Act shall be elected by the qualified electors of the several counties on the first Tuesday after the first Monday in November in the year 1954 and every fourth year thereafter. Except in Jefferson County, the places to be filled shall be designated by numbers and every candidate for a place shall designate in his announcement the number of place for which he is a candidate. The terms of office of representatives shall commence on the

day after the general election at which they are elected, and expire on the day after the general election held in the fourth year after their election, except as otherwise provided in the Constitution.

Section 3. Section 1 of Title 32 of the Code of Alabama (1940) and all other laws or parts of laws in conflict with this Act are hereby repealed.

And the substitute was lost.

Yeas 38; Nays 2.

Yeas:

Mr. Speaker	Coburn	Hankins	Nettles
Adams (Jefferson)	Cox	Haynes (Franklin)	O'Neal
Barnett	Denton	Howell	Roberts
Beatty	Dumas	Inzer	Shelton
Benford	Dyar	Kaul	Taylor (Autauga)
Black	Evans	Meeks	Thompson (Crenshaw)
Brannan	Ganey	Merrill	Thompson (Pike)
Broadwater	Garrett	Miller	Vann
Buckner	Gibson	Morring	Weaver
Callahan	Gillis		

—38

Nays: Messrs. Martin and Wood (Washington)

—2

PAIR ANNOUNCED

Mr. Crocker announced that he was paired with Mr. Dobbs of Fayette. If Mr. Dobbs were present he would vote "Yea" and Mr. Crocker would vote "Nay."

And said bill, H. 24, was read a third time at length and lost.

Yeas 30; Nays 2.

Yeas:

Mr. Speaker	Denton	Howell	Roberts
Adams (Jefferson)	Dumas	Inzer	Shelton
Beatty	Dyar	Kaul	Taylor (Autauga)
Benford	Ganey	Meeks	Thompson (Crenshaw)
Black	Garrett	Merrill	Thompson (Pike)
Buckner	Gibson	Miller	Vann
Coburn	Hankins	Morring	Weaver
Cox	Haynes (Franklin)		

—30

Nays: Messrs. Martin and O'Neal.

—2

PAIR ANNOUNCED

Mr. Crocker announced that he was paired with Mr. Dobbs of Fayette. If Mr. Dobbs were present he would vote "yea" and Mr. Crocker would vote "nay."

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Patton:

S. 2. Proposing an amendment to the Constitution of Alabama relating to Limestone County and the municipality of Athens, and ordering an election thereon.

Also:

By Mr. Gulledge:

S. 8. For the relief of J. L. Messer: To make an appropriation to J. L. Messer to compensate him for damages to his truck and to a load of watermelons which he was hauling resulting from a collision caused by the negligence of a convict operating a State truck.

Also:

By Messrs. Quarles and Henderson:

S. 15. To amend Section 29 of Title 60 of the Code of Alabama (1940), as amended, which relates to the amounts of pensions to be paid to Confederate veterans and their widows.

Also:

By Mr. Allen:

S. 5. Making an additional appropriation to the Department of Examiners of Public Accounts for the fiscal year 1950-51.

Also:

By Mr. Allen:

S. 6. To provide legal counsel for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this Act.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 2. Senate Bill, S. 2, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Local Legislation.

S. 8. Ways and Means

S. 15. Ways and Means.

S. 5. Judiciary.

S. 6. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Kendall:

S. 9. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 9. Local Government.

BILLS ON THIRD READING RESUMED

H. 5. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Duffee	Inzer	Ramey
Adams (Jefferson)	Dumas	Knight	Roberts
Beatty	Dyar	Lovelace	Robinson
Benford	Evans	McClendon	Sellers
Black	Faulk	McDonald	Shelton
Brannan	Ganey	Martin	Sightler
Brassell	Garrett	Mason	Still
Broadwater	George	Mathison	Taylor (Aurtauga)
Buckner	Gibson	Meeks	Thomas
Busby	Gillis	Merrill	Thompson (Crenshaw)
Bush	Givhan	Miller	Thompson (Pike)
Coburn	Hankins	Molette	Vann
Cole	Haynes (Franklin)	O'Neal	Wallace
Cox	Haynes (Lowndes)	Pinkston	Ward
Crocker	Hornsby	Pinson	Weaver
Denton	Howell	Pruitt	Wood (Washington)
Dobbs (Elmore)			

—65

And the bill:

H. 18. To prohibit boards of registrars from registering persons as qualified electors within ten days prior to any primary, special or general election; and providing that meetings of the boards of registrars authorized to be held on days falling within such period may be held on another day not within such period.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Crocker	Hornsby	Ramey
Adams (Jefferson)	Denton	Howell	Roberts
Beatty	Dobbs (Elmore)	Inzer	Robinson
Benford	Dumas	Knight	Shelton
Black	Dyar	McDonald	Sightler
Brannan	Evans	Martin	Taylor (Aurtauga)
Brassell	Ganey	Mathison	Taylor (Hale)
Broadwater	Garrett	Meeks	Thagard
Buckner	George	Merrill	Thompson (Crenshaw)
Busby	Gibson	Miller	Thompson (Pike)
Bush	Gillis	Molette	Vann
Callahan	Hankins	Morring	Ward
Coburn	Haynes (Franklin)	O'Neal	Weaver
Cole	Haynes (Lowndes)	Pinson	Wood (Washington)
Cox			

—57

And the bill:

H. 2. To amend sections 1, 2 and 5 of Act No. 317, approved December 9, 1859, entitled "An Act To Incorporate the Grand Lodge of Free and

Accepted Masons of the State of Alabama and the subordinate Lodges under its jurisdiction," as amended.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Elmore)	Knight	Sellers
Adams (Jefferson)	Duffee	Lovelace	Shelton
Benford	Dumas	McClendon	Sightler
Black	Dyar	McDonald	Still
Brannan	Evans	Martin	Taylor (Autauga)
Brassell	Ganey	Mathison	Taylor (Hale)
Broadwater	Garrett	Merrill	Thomas
Buckner	George	Miller	Thompson (Crenshaw)
Busby	Gillis	Molette	Thompson (Pike)
Bush	Givhan	Morring	Vann
Callahan	Hankins	O'Neal	Wallace
Coburn	Haynes (Franklin)	Pinkston	Ward
Cole	Haynes (Lowndes)	Pinson	Weaver
Cox	Hornsby	Ramey	White (Perry)
Crocker	Howell	Roberts	Wood (Washington)
Denton	Inzer		

—62

And the bill:

H. 16. To amend Section 11 of Act No. 329, H. 714, approved July 1, 1943, (General Acts of Alabama, 1943, p. 311), as amended, entitled the "Farm to Market Road Act of 1943."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Crocker	Knight	Sightler
Adams (Dale)	Denton	Lovelace	Still
Adams (Jefferson)	Dyar	McClendon	Taylor (Autauga)
Barnett	Evans	Martin	Taylor (Hale)
Beatty	Faulk	Mathison	Thomas
Benford	Ganey	Merrill	Thompson (Crenshaw)
Black	Garrett	Miller	Thompson (Pike)
Brannan	George	Molette	Vann
Brassell	Gibson	Morring	Wallace
Broadwater	Gillis	O'Neal	Ward
Bush	Hankins	Ramey	Weaver
Callahan	Haynes (Franklin)	Roberts	White (Perry)
Coburn	Howell	Robinson	Wood (Bibb)
Cole	Inzer	Shelton	Wood (Washington)
Cox			

—57

And the bill:

II. 15. Proposing an amendment to the Constitution of Alabama: To authorize the several school districts of Monroe County to levy and collect a special school tax of thirty cents on each one hundred dollars worth of taxable property; ordering an election upon the proposed amendment to be held at the general election next succeeding the adjournment of the present session of the Legislature.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Elmore)	Knight	Sellers
Adams (Dale)	Duffee	Lovelace	Shelton
Adams (Jefferson)	Dumas	McClendon	Sightler
Beatty	Dyar	McDonald	Still
Benford	Evans	Martin	Sullivan
Black	Faulk	Mathison	Taylor (Autauga)
Brannan	Ganey	Merrill	Taylor (Hale)
Brassell	Garrett	Miller	Thomas
Broadwater	George	Molette	Thompson (Crenshaw)
Buckner	Gillis	Morring	Thompson (Pike)
Bush	Givhan	Nelson	Vann
Callahan	Hankins	O'Neal	Wallace
Coburn	Haynes (Franklin)	Pinkston	Ward
Cole	Hornsby	Pinson	Weaver
Cox	Howell	Ramey	White (Perry)
Crocker	Ingalls	Roberts	Wood (Washington)
Denton	Inzer		

—66

And the bill:

H. 13. Proposing an amendment to the Constitution of Alabama relating to Limestone County and the municipality of Athens, and ordering an election thereon.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Crocker	Howell	Roberts
Adams (Dale)	Denton	Inzer	Sellers
Adams (Jefferson)	Dobbs (Elmore)	Knight	Shelton
Beatty	Duffee	McClendon	Sightler
Benford	Dumas	McDonald	Still
Black	Dyar	Martin	Taylor (Autauga)
Brannan	Evans	Mathison	Taylor (Hale)
Brassell	Faulk	Meeks	Thomas
Broadwater	Ganey	Merrill	Thompson (Crenshaw)
Brown	Garrett	Miller	Thompson (Pike)
Buckner	George	Molette	Vann
Bush	Gillis	Morring	Wallace
Callahan	Givhan	Nelson	Ward
Coburn	Hankins	O'Neal	Weaver
Cole	Haynes (Franklin)	Pinson	White (Perry)
Cox	Hornsby	Ramey	Wood (Washington)

—64

And the bill:

H. 14. Relating to the compensation of the judge of the Inferior Court of any municipality in the State which has a population of not more than 15,000 and not less than 13,000 inhabitants.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Beatty	Brassell	Bush
Adams (Dale)	Benford	Broadwater	Coburn
Adams (Jefferson)	Black	Buckner	Cole

Cox	Hankins	Miller	Taylor (Autauga)
Crocker	Haynes (Franklin)	Molette	Taylor (Hale)
Denton	Hornsby	Morring	Thomas
Dobbs (Elmore)	Howell	O'Neal	Thompson (Crenshaw)
Dumas	Inzer	Pinson	Thompson (Pike)
Dyar	Knight	Ramey	Vann
Evans	McClendon	Roberts	Wallace
Ganey	Martin	Sellers	Ward
Garrett	Mathison	Shelton	Weaver
George	Meeks	Sightler	White (Perry)
Gillis	Merrill	Still	Wood (Washington)
Givhan			

—57

And the bill:

H. 25. Relating to Cullman County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Denton	Knight	Shelton
Adams (Dale)	Dobbs (Elmore)	McClendon	Sightler
Adams (Jefferson)	Dumas	McDonald	Still
Beatty	Dyar	Martin	Taylor (Autauga)
Benford	Evans	Mathison	Taylor (Hale)
Black	Ganey	Meeks	Thomas
Brannan	Garrett	Merrill	Thompson (Crenshaw)
Brassell	George	Miller	Thompson (Pike)
Broadwater	Gillis	Molette	Vann
Buckner	Givhan	Morring	Wallace
Bush	Hankins	Nelson	Ward
Coburn	Haynes (Franklin)	O'Neal	Weaver
Cole	Hornsby	Pinson	White (Perry)
Cox	Howell	Ramey	Wood (Washington)
Crocker	Inzer	Roberts	

—59

RECONSIDERATION OF H. 19

The motion of Mr. Dumas to reconsider the vote by which the bill, H. 19, was lost, was adopted.

And the bill:

H. 19. To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Black	Callahan	Dobbs (Elmore)
Adams (Dale)	Brassell	Coburn	Dumas
Adams (Jefferson)	Broadwater	Cole	Dyar
Beatty	Buckner	Cox	Evans
Benford	Bush	Denton	Ganey

Garrett	Knight	O'Neal	Thomas
George	McClendon	Pinkston	Thompson (Crenshaw)
Gibson	McDonald	Pinson	Thompson (Pike)
Gillis	Martin	Ramey	Vann
Givhan	Mathison	Roberts	Wallace
Hankins	Merrill	Sellers	Ward
Haynes (Franklin)	Miller	Shelton	Weaver
Hornsby	Molette	Still	White (Perry)
Howell	Morring	Taylor (Autauga)	Wood (Washington)
Inzer	Nelson	Taylor (Hale)	

—59

NOTICE IN WRITING BY MR. GIVHAN

NOTICE IS HEREBY GIVEN that on the next legislative day Rule 34 of the House of Representatives shall be amended so as to read as follows:

34. Upon a vote of a majority of House any standing committee may be directed to act on any bill, or resolution, which shall have been referred to such committee, and to report the same to the House at its next sitting, in default of which such committee, or any of its members, shall be subject to such a censure as the House may impose; provided, one day's notice shall be given and which notice shall be given in writing to the House immediately after the report of Standing Committees.

PETITION OFFERED BY MR. SULLIVAN

We the undersigned members of the Rules Committee do hereby favorably report S. J. R. No. 1 for immediate action by the House.

JOS. C. SULLIVAN
NORMAN W. HARRIS
IRA D. PRUITT
LUTHER INGALLS
JESSE B. ADAMS
C. G. DUFFEE
EARL M. MCGOWIN
J. G. ADAMS, JR.

The Speaker ruled that the petition was out of order. Mr. Sullivan appealed from the ruling of the Chair. The question was should the Chair be sustained. And the Chair was sustained, a quorum not voting.

Yeas 1; Nays 40.

Yeas: Mr. Wallace.

—1

Nays:

Messrs.:	Givhan	Malone	Sellers
Adams (Dale)	Harris	Martin	Sightler
Barnett	Harrison	Mason	Stone
Beatty	Haynes (Lowndes)	Meeks	Sullivan
Brannan	Hornsby	Miller	Taylor (Hale)
Broadwater	Ingalls	Molette	Thagard
Brown	Inzer	Morring	Thomas
Duffee	Kaul	Pinson	Vann
Dumas	McClendon	Pruitt	Ward
Faulk	McGowin	Robinson	Wood (Bibb)
Gibson			

—40

MOTION TO ADJOURN LOST

The motion of Mr. Merrill to adjourn until Thursday, August 3, 1950, at ten o'clock A. M., was lost.

Yeas 33; Nays 44.

Yeas:

Mr. Speaker	Denton	Haynes (Franklin)	O'Neal
Benford	Dobbs (Elmore)	Howell	Roberts
Black	Dyar	Knight	Shelton
Brassell	Evans	McDonald	Still
Buckner	Garrett	Mathison	Thompson (Crenshaw)
Busby	George	Merrill	Thompson (Pike)
Coburn	Gillis	Miller	Weaver
Cole	Hankins	Nelson	Wood (Washington)
Cox			

—33

Nays:

Messrs.:	Faulk	McGowin	Sightler
Adams (Dale)	Ganey	Malone	Stone
Adams (Jefferson)	Gibson	Martin	Sullivan
Barnett	Givhan	Mason	Taylor (Hale)
Beatty	Harrison	Meeks	Thagard
Brannan	Haynes (Lowndes)	Molette	Thomas
Broadwater	Hornsby	Morring	Vann
Brown	Ingalls	Pinson	Wallace
Bush	Inzer	Pruitt	Ward
Crocker	Kaul	Robinson	White (Perry)
Duffee	McClendon	Sellers	Wood (Bibb)
Dumas			

—44

MOTION TO ADJOURN LOST

The motion of Mr. Roberts to adjourn until Thursday, August 3, 1950, at two o'clock P. M., was lost.

Yeas 28; Nays 36.

Yeas:

Mr. Speaker	Cox	Howell	Roberts
Benford	Dyar	Knight	Shelton
Black	Evans	McDonald	Still
Brassell	Garrett	Mathison	Taylor (Autauga)
Buckner	Gillis	Merrill	Thompson (Pike)
Busby	Hankins	Nelson	Weaver
Coburn	Haynes (Franklin)	O'Neal	Wood (Washington)

—28

Nays:

Messrs.:	Gibson	Malone	Sightler
Adams (Dale)	Givhan	Martin	Stone
Adams (Jefferson)	Harrison	Mason	Sullivan
Barnett	Haynes (Lowndes)	Molette	Taylor (Hale)
Beatty	Hornsby	Morring	Thomas
Brannan	Ingalls	Pinson	Vann
Broadwater	Kaul	Pruitt	Wallace
Dumas	McClendon	Robinson	White (Perry)
Faulk	McGowin	Sellers	Wood (Bibb)
Ganey			

—36

MOTION IN WRITING BY MR. SULLIVAN

Pursuant to Rule 17 I do now move that the House adjourn.

The Speaker ruled that the Motion in Writing by Mr. Sullivan was out of order. Mr. Sullivan appealed from the ruling of the Chair. The question was should the Chair be sustained. And the Chair was sustained, a quorum not voting.

Yeas 0; Nays 37.

Nays:

Messrs.:	Duffee	McClendon	Robinson
Adams (Dale)	Dumas	McGowin	Sellers
Adams (Jefferson)	Faulk	Malone	Sightler
Barnett	Gibson	Mason	Stone
Beatty	Givhan	Meeks	Sullivan
Brannan	Harrison	Molette	Taylor (Hale)
Broadwater	Haynes (Lowndes)	Morring	Thagard
Brown	Hornsby	Pinson	Vann
Bush	Ingalls	Pruitt	Wood (Bibb)
Crocker	Kaul		

—37

MOTION TO RECESS LOST

The motion of Mr. Brassell to recess until eight o'clock tonight, was lost.

Yeas 16; Nays 42.

Yeas:

Mr. Speaker	Dyar	Hankins	Shelton
Black	Evans	Haynes (Franklin)	Thompson (Pike)
Brassell	Garrett	Knight	Weaver
Denton	Gillis	O'Neal	Wood (Washington)

—16

Nays:

Messrs.:	Duffee	McGowin	Sellers
Adams (Dale)	Dumas	Malone	Stone
Adams (Jefferson)	Faulk	Martin	Sullivan
Barnett	Gibson	Mason	Taylor (Hale)
Beatty	Givhan	Meeks	Thagard
Brannan	Harrison	Miller	Vann
Broadwater	Haynes (Lowndes)	Molette	Wallace
Brown	Howell	Morring	Ward
Buckner	Ingalls	Pinson	White (Perry)
Busby	Kaul	Pruitt	Wood (Bibb)
Crocker	McClendon	Robinson	

—42

MOTION TO ADJOURN LOST

The motion of Mr. Wood of Bibb to adjourn until Friday, August 4, 1950, at ten o'clock A. M., was lost.

Yeas 33; Nays 38.

Yeas:

Mr. Speaker	Denton	McDonald	Sellers
Benford	Dobbs (Elmore)	Mathison	Shelton
Brassell	Dyar	Meeks	Still
Buckner	Evans	Merrill	Taylor (Autauga)
Callahan	Garrett	Miller	Thompson (Crenshaw)
Coburn	Hankins	Nelson	Thompson (Pike)
Cole	Haynes (Franklin)	O'Neal	Wood (Bibb)
Cox	Howell	Roberts	Wood (Washington)
Crocker			

—33

Nays:

Messrs.:	Brannan	Faulk	Ingalls
Adams (Dale)	Broadwater	Ganey	Inzer
Adams (Jefferson)	Brown	Gibson	Kaul
Barnett	Busby	Givhan	McClendon
Beatty	Duffee	Harrison	McGowin
Black	Dumas	Haynes (Lowndes)	Malone

Martin
Mason
Molette
Morring

Pinson
Pruitt
Robinson
Stone

Sullivan
Taylor (Hale)
Thagard
Thomas

Vann
Wallace
Ward

—38

MOTION TO ADJOURN LOST

The motion of Mr. George to adjourn until Thursday, August 3, 1950, at ten o'clock A. M., was lost.

Yeas 33; Nays 41.

Yeas:

Mr. Speaker
Benford
Black
Brassell
Buckner
Coburn
Cole
Cox
Denton

Dobbs (Elmore)
Dyar
Evans
Garrett
George
Gillis
Hankins
Haynes (Franklin)

Howell
Knight
McDonald
Mathison
Merrill
Miller
Nelson
O'Neal

Roberts
Shelton
Still
Taylor (Autauga)
Thompson (Crenshaw)
Thompson (Pike)
Weaver
Wood (Washington)

—33

Nays:

Messrs.:
Adams (Dale)
Adams (Jefferson)
Barnett
Beatty
Broadwater
Brown
Busby
Crocker
Duffee
Dumas

Faulk
Ganey
Gibson
Givhan
Harrison
Haynes (Lowndes)
Hornsby
Ingalls
Kaul
McClendon
McGowin

Malone
Martin
Mason
Meeks
Molette
Morring
Pinson
Pruitt
Robinson
Sellers

Sightler
Stone
Sullivan
Taylor (Hale)
Thagard
Thomas
Vann
Wallace
Ward
Wood (Bibb)

—41

MOTION TO ADJOURN LOST

The motion of Mr. Buckner to adjourn until Friday, August 4, 1950, at twelve o'clock noon, was lost.

Yeas 30; Nays 41.

Yeas:

Mr. Speaker
Benford
Black
Brassell
Buckner
Callahan
Coburn
Cole

Cox
Denton
Dobbs (Elmore)
Dyar
Evans
Garrett
George
Gillis

Hankins
Haynes (Franklin)
Howell
McDonald
Merrill
Miller
Nelson

O'Neal
Roberts
Shelton
Still
Taylor (Autauga)
Thompson (Crenshaw)
Wood (Washington)

—30

Nays:

Messrs.:
Adams (Dale)
Adams (Jefferson)
Barnett
Beatty
Brannan
Broadwater

Brown
Busby
Crocker
Duffee
Dumas
Faulk
Ganey

Gibson
Givhan
Harrison
Haynes (Lowndes)
Hornsby
Ingalls
Inzer

Kaul
Knight
McClendon
McGowin
Martin
Mason
Molette

Morring	Sellers	Thagard	Wallace
Pinson	Stone	Thomas	Ward
Pruitt	Sullivan	Vann	Wood (Bibb)
Robinson	Taylor (Hale)		

—41

MOTION TO RECESS LOST

The motion of Mr. O'Neal to recess until twelve o'clock midnight tonight was lost.

Yeas 15; Nays 47.

Yeas:

Messrs.:	Denton	Hankins	Shelton
Brassell	Dyar	Knight	Still
Callahan	Evans	Mathison	Thompson (Pike)
Coburn	Garrett	O'Neal	Wood (Washington)

—15

Nays:

Messrs.:	Duffee	Kaul	Sellers
Adams (Dale)	Dumas	McClendon	Sightler
Adams (Jefferson)	Faulk	McGowin	Stone
Barnett	Ganey	Malone	Sullivan
Beatty	George	Martin	Taylor (Autauga)
Benford	Gibson	Mason	Taylor (Hale)
Black	Givhan	Miller	Thagard
Brannan	Harrison	Molette	Thomas
Broadwater	Haynes (Lowndes)	Morring	Vann
Brown	Hornsby	Pinson	Wallace
Busby	Ingalls	Pruitt	Ward
Crocker	Inzer	Robinson	White (Perry)

—47

MOTION TO ADJOURN LOST

The motion of Mr. Beatty to adjourn until Thursday, August 3, 1950, at one o'clock A. M., was lost.

Yeas 17; Nays 45.

Yeas:

Mr. Speaker	Denton	Gillis	Merrill
Beatty	Dyar	Knight	O'Neal
Benford	Evans	Mathison	Shelton
Callahan	Garrett	Meeks	Wood (Washington)
Coburn			

—17

Nays:

Messrs.:	Duffee	McGowin	Stone
Adams (Dale)	Dumas	Malone	Sullivan
Adams (Jefferson)	Faulk	Martin	Taylor (Hale)
Barnett	Ganey	Mason	Thagard
Black	George	Molette	Thomas
Brannan	Givhan	Morring	Thompson (Crenshaw)
Brassell	Harrison	Pinson	Vann
Broadwater	Haynes (Lowndes)	Pruitt	Wallace
Brown	Hornsby	Robinson	Ward
Buckner	Ingalls	Sellers	White (Perry)
Busby	Inzer	Sightler	Wood (Bibb)
Crocker	McClendon		

—45

MOTION TO ADJOURN LOST

The motion of Mr. Brassell to adjourn until Thursday, August 3, 1950, at ten o'clock A. M., was lost.

Yeas 31; Nays 40.

Yeas:

Mr. Speaker	Denton	Haynes (Franklin)	Roberts
Benford	Dobbs (Elmore)	Howell	Shelton
Black	Dyar	Knight	Still
Brassell	Evans	McDonald	Thompson (Crenshaw)
Buckner	Garrett	Mathison	Thompson (Pike)
Coburn	George	Merrill	Weaver
Cole	Gillis	Nelson	Wood (Washington)
Cox	Hankins	O'Neal	

—31

Nays:

Messrs.:	Faulk	McGowin	Sightler
Adams (Dale)	Ganey	Malone	Stone
Adams (Jefferson)	Gibson	Martin	Sullivan
Barnett	Givhan	Mason	Taylor (Hale)
Beatty	Harrison	Meeks	Thagard
Brannan	Haynes (Lowndes)	Molette	Thomas
Broadwater	Hornsby	Morring	Vann
Brown	Ingalls	Pruitt	Wallace
Busby	Kaul	Robinson	Ward
Duffee	McClendon	Sellers	Wood (Bibb)
Dumas			

—40

MOTION TO ADJOURN LOST

The motion of Mr. Sellers to adjourn until Thursday, August 3, 1950, at ten o'clock A. M., was lost.

Yeas 32; Nays 41.

Yeas:

Mr. Speaker	Dobbs (Elmore)	Howell	Roberts
Benford	Dyar	Knight	Sellers
Black	Evans	McDonald	Shelton
Brassell	Garrett	Mathison	Still
Buckner	George	Merrill	Thompson (Crenshaw)
Coburn	Gillis	Miller	Thompson (Pike)
Crocker	Hankins	Nelson	Weaver
Denton	Haynes (Franklin)	O'Neal	Wood (Washington)

—32

Nays:

Messrs.:	Faulk	McGowin	Sightler
Adams (Dale)	Ganey	Malone	Stone
Adams (Jefferson)	Gibson	Martin	Sullivan
Barnett	Givhan	Mason	Taylor (Hale)
Beatty	Harrison	Meeks	Thagard
Brannan	Haynes (Lowndes)	Molette	Thomas
Broadwater	Hornsby	Morring	Vann
Brown	Ingalls	Pinson	Wallace
Busby	Inzer	Pruitt	Ward
Duffee	Kaul	Robinson	Wood (Bibb)
Dumas	McClendon		

—41

RESOLUTION

The following resolution was introduced:

By Mr. Ward:

H. J. R. 14. Be it resolved by the House the Senate concurring that when the two houses adjourn today they adjourn to meet Monday at 12 o'clock.

The motion of Mr. Ward to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 14 was lost.

Yeas 26; Nays 36.

Yeas:

Mr. Speaker	Cole	Knight	O'Neal
Brassell	Denton	McDonald	Roberts
Broadwater	Dobbs (Elmore)	Martin	Thomas
Brown	Dyar	Mason	Thompson (Crenshaw)
Buckner	Hankins	Merrill	Thompson (Pike)
Callahan	Haynes (Franklin)	Nelson	Weaver
Coburn	Howell		

—26

Nays:

Messrs.:	Dumas	McClendon	Robinson
Adams (Dale)	Faulk	McGowin	Sellers
Adams (Jefferson)	Ganey	Malone	Stone
Barnett	Gibson	Mason	Sullivan
Beatty	Givhan	Meeks	Taylor (Hale)
Benford	Harrison	Molette	Thagard
Black	Haynes (Lowndes)	Morring	Vann
Brannan	Inzer	Pinson	Wallace
Busby	Kaul	Pruitt	Wood (Bibb)
Bush			

—36

And H. J. R. 14 was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 7. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Franklin County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Franklin County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Was read a third time at length and lost.

Yeas 53; Nays 1.

Yeas:

Mr. Speaker	Black	Buckner	Cole
Adams (Dale)	Brannan	Bush	Cox
Adams (Jefferson)	Brassell	Callahan	Crocker
Benford	Broadwater	Coburn	Denton

Dobbs (Elmore)	Haynes (Franklin)	Miller	Taylor (Autauga)
Dumas	Hornsby	Molette	Taylor (Hale)
Dyar	Howell	Morring	Thomas
Evans	Inzer	Nelson	Thompson (Crenshaw)
Ganey	Knight	O'Neal	Thompson (Pike)
Garrett	McDonald	Pinson	Vann
George	Martin	Roberts	Weaver
Gillis	Mathison	Shelton	White (Perry)
Hankins	Merrill	Still	Wood (Washington)
Harrison			

—53

Nays: Mr. Wallace

—1

MOTION TO RECONSIDER

The motion of Mr. Wallace to reconsider the vote by which the bill, H. 7, was lost, was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Black to adjourn until Thursday, August 3, 1950, at two o'clock P. M., was lost.

Yeas 31; Nays 39.

Yeas:

Mr. Speaker	Denton	Haynes (Franklin)	Shelton
Benford	Dobbs (Elmore)	Howell	Still
Black	Dyar	McDonald	Taylor (Autauga)
Brassell	Evans	Merrill	Thompson (Crenshaw)
Buckner	Garrett	Miller	Wallace
Coburn	George	Nelson	Weaver
Cole	Gillis	O'Neal	Wood (Washington)
Cox	Hankins	Roberts	

—31

Nays:

Messrs.:	Dumas	McGowin	Sellers
Adams (Dale)	Faulk	Malone	Sightler
Adams (Jefferson)	Ganey	Martin	Stone
Barnett	Gibson	Mason	Sullivan
Beatty	Givhan	Meeks	Taylor (Hale)
Brannan	Harrison	Molette	Thagard
Broadwater	Haynes (Lowmides)	Morring	Thomas
Busby	Ingalls	Pinson	Vann
Bush	Kaul	Pruitt	Ward
Duffee	McClendon	Robinson	Wood (Bibb)

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MOTION TO ADJOURN LOST

The motion of Mr. Roberts to adjourn until Thursday, August 3, 1950, at two o'clock P. M., was lost.

Yeas 33; Nays 38.

Yeas:

Mr. Speaker	Cole	Garrett	McDonald
Benford	Cox	George	Mathison
Black	Denton	Gillis	Merrill
Brassell	Dobbs (Elmore)	Hankins	Miller
Buckner	Dyar	Haynes (Franklin)	Nelson
Coburn	Evans	Knight	O'Neal

Ramey	Still	Thompson (Crenshaw)	Weaver
Roberts	Taylor (Autauga)	Thompson (Pike)	Wood (Washington)
Shelton			

—33

Nays:

Messrs.:	Faulk	Martin	Stone
Adams (Dale)	Ganey	Mason	Sullivan
Adams (Jefferson)	Givhan	Meeks	Taylor (Hale)
Brannan	Harrison	Molette	Thagard
Brown	Haynes (Lowndes)	Morring	Thomas
Busby	Hornsby	Pinson	Vann
Bush	Kaul	Pruitt	Wallace
Callahan	McClendon	Robinson	Ward
Duffee	McGowin	Sellers	Wood (Bibb)
Dumas	Malone	Sightler	

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CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:11 P. M. on August 2, 1950. H. J. R. 11.

R. T. GOODWYN, JR.,
Clerk.

RESOLUTION

The following resolution was introduced:

By Mr. Sellers:

H. J. R. 15. Resolved that when the two houses adjourn today they adjourn to meet again Thursday Aug. 3 and when they adjourn Thursday Aug. 3 they adjourn to meet again Friday Aug. 4 and when they adjourn Friday Aug. 4 they adjourn sine die.

On motion of Mr. Sellers the rules were suspended and H. J. R. 15 was adopted.

ADJOURNMENT

On motion of Mr. Sellers, the House adjourned until Thursday, August 3, 1950, at two o'clock P. M.

FOURTH DAY

House of Representatives,
Montgomery, Alabama,
Thursday, August 3, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend H. W. Williamson, Pastor, St. Marks Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crocker	Hornsby	Pruitt
Adams (Jefferson)	Denton	Ingalls	Ramey
Beatty	Dobbs (Fayette)	McClendon	Roberts
Benford	Doughty	McDonald	Robinson
Bennett	Dumas	Martin	Shelton
Black	Dyar	Mathison	Sightler
Brassell	Ganey	Merrill	Still
Brown	Garrett	Miller	Thomas
Buckner	George	Mitchell	Thompson (Crenshaw)
Busby	Gibson	Molette	Thompson (Pike)
Callahan	Gillis	Morring	Wallace
Coburn	Hankins	Nelson	Weaver
Cole	Haynes (Franklin)	Pinkston	White (Perry)
Cox	Haynes (Lowndes)	Pinson	

—55

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Third Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Third Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Third Legislative Day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 15. Relative to sine die adjournment of the Legislature Friday, August 4, 1950.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

W. V. (Bill) LYERLY,
Executive Secretary.

August 3, 1950.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I have made five special requests and two regular requests that the Legislature of Alabama comply with the Constitution of Alabama as regards reapportionment.

The Senate of Alabama has never seen fit to vote on these requests. I respectfully request the House of Representatives to stay in session until Article IX has been complied with, or some kind of reapportionment has been passed.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

Received, read and ordered filed.

BILLS ON SECOND READING

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Messrs. Quarles and Henderson:

S. 15. To amend Section 29 of Title 60 of the Code of Alabama (1940), as amended, which relates to the amounts of pensions to be paid to Confederate veterans and their widows.

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Mr. Kendall:

S. 9. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Mr. Thomas, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. McDonald:

H. 28. For the relief of the next of kin of Eugene Ogburn.

By Mr. McDonald:

H. 29. For the relief of the widow of P. P. Wilson.

By Mr. Weaver:

H. 30. To repeal an act entitled "An Act To withdraw and take away from the Court of County Commissioners of Winston County, Alabama, all jurisdiction over public roads and bridges and public road and bridge funds in said county; to create and establish a Highway Board for said county to be composed of five members, one of whom shall be Chairman, all to be appointed by the Governor of Alabama from the county at large; and to invest said Highway Board with jurisdiction, authority and power over public roads and bridges and over public road and bridge funds in and for said county; to provide for the terms of office and compensation of said members; to provide for a secretary and treasurer of said Board and to fix his compensation; to define the powers, jurisdiction, duties, authority, and responsibilities of said Board and of the Chairman thereof and to regulate purchases made by said Board and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama." approved September 5, 1939, (Act No. 333, H. 815, Mayhall; Local Acts, 1939, pages 221-225); to create and establish a Board of Revenue for Winston County, Alabama, to be composed of five members, one of whom shall be chairman; to invest

said Board of Revenue with exclusive jurisdiction, authority, and power over public roads and bridges and over public road and bridge funds in and for said county; to define the powers, jurisdiction, authority, duties, and responsibilities of said Board of Revenue and its members (including its chairman) to divide Winston County into five civil districts; to provide for the election of one member of said Board of Revenue from each of said civil districts at the general election to be held in November, 1956, and every six years thereafter; to provide for the filling of vacancies in said offices by appointment by the Governor of Alabama; to provide that the members of the Winston County Highway Board as constituted at the time of the passage of this act shall constitute the members of said Board of Revenue until the first Tuesday after the second Monday in January, 1957, and until their successors are elected and qualified; to fix the qualifications of the members and chairman of said Board of Revenue; to fix the term of office of said members at six years, such terms to begin on the first Tuesday after the second Monday in January of the year 1957 and every sixth year thereafter; to fix the compensation of the members and chairman of said board at the same rate which has heretofore been provided for the members of the Winston County Highway Board until the first Tuesday after the second Monday in January, 1951, after which date the compensation of each member, including the chairman, shall be \$225.00 per month; to provide where the members of said Board shall reside during their terms of office; to provide the times when said board shall meet; to provide for a Secretary and Treasurer of said Board to be appointed by said Board, and to define his duties and fix his compensation at the same rate which has heretofore been provided for the Secretary and Treasurer of the Highway Board of said County, until the first Tuesday after the second Monday in January, 1951, after which date such salary shall be \$175.00 per month; to regulate purchase made by said Board of Revenue, and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama.

The above and foregoing bills were severally read a second time and placed on the Calendar.

By Mr. Patton:

S. 2. Proposing an amendment to the Constitution of Alabama relating to Limestone County and the municipality of Athens, and ordering an election thereon.

By Mr. Kimbrell:

S. 11. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Fayette County and Houston, Blount and Crenshaw Counties to acquire and dispose of all kinds of property, to promote the development of the municipalities in Fayette County and Houston, Blount and Crenshaw Counties, and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above and foregoing bills, S. 2 and S. 11, each proposing an amendment to the Constitution, were severally read a second time at length and placed on the Calendar.

ADJOURNMENT

On motion of Mr. Adams of Jefferson, the House adjourned until Friday, August 4, 1950, at nine o'clock A. M.

FIFTH DAY

House of Representatives,
Montgomery, Alabama,
Friday, August 4, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Vernon McMaster, Rector, Church of the Holy Comforter, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Denton	McDanal	Roberts
Adams (Jefferson)	Dobbs (Fayette)	McDonald	Sellers
Beatty	Doughty	McGowin	Shelton
Benford	Dyar	Martin	Sightler
Bennett	Ganey	Mathison	Still
Black	Garrett	Meeks	Taylor (Autauga)
Brassell	George	Merrill	Thagard
Broadwater	Gibson	Miller	Thomas
Brown	Gillis	Mitchell	Thompson (Crenshaw)
Buckner	Hankins	Molette	Thompson (Pike)
Busby	Haynes (Franklin)	Nelson	Vann
Bush	Haynes (Lowndes)	O'Neal	Wallace
Callahan	Hornsby	Pinkston	Ward
Coburn	Knight	Pinson	Weaver
Cole	Larkins	Pruitt	White (Perry)
Cox	Lovell	Ramey	Wood (Bibb)
Crocker	McClendon		

—66

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fourth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Fourth Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Fourth Legislative Day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 5. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Also:

H. 19. To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct

of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violation.

Also:

H. 18. To prohibit boards of registrars from registering persons as qualified electors within ten days prior to any primary, special or general election; and providing that meetings of the boards of registrars authorized to be held on days falling within such period may be held on another day not within such period.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration.

By Mr. Patterson:

S. J. R. 9. WHEREAS the Secretaries, Clerks and other employees of the Legislature have been very courteous, helpful and at all times rendering superior service to our members in spite of jagged nerves, and trying conditions during the present and past Special Sessions;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF ALABAMA, the House of Representatives concurring that we thank and commend them for their tireless effort to please and careful attention to every duty and that a copy of this Resolution be spread upon the Journals of this Session.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell the rules were suspended and the House concurred in and adopted the S. J. R. 9 set out in the above and foregoing message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 5. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Also:

H. 18. To prohibit boards of registrars from registering persons as qualified electors within ten days prior to any primary, special or general election; and providing that meetings of the boards of registrars authorized to be held on days falling within such period may be held on another day not within such period.

Also:

H. 19. To provide for the City of Jasper a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's

office of the city; defining violations of the Act, and imposing penalties for violation.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING

S. 15. To amend Section 29 of Title 60 of the Code of Alabama (1940), as amended, which relates to the amounts of pensions to be paid to Confederate veterans and their widows.

Was read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Crocker	Larkins	Pinson
Adams (Jefferson)	Denton	Lovelace	Ramey
Benford	Dobbs (Fayette)	McClendon	Roberts
Bennett	Doughty	McDanal	Sellers
Black	Dyar	McDonald	Shelton
Brassell	Ganey	Martin	Sightler
Broadwater	Garrett	Mathison	Still
Brown	George	Meeks	Taylor (Autauga)
Buckner	Gibson	Merrill	Thompson (Crenshaw)
Busby	Gillis	Miller	Thompson (Pike)
Bush	Hankins	Mitchell	Wallace
Callahan	Haynes (Franklin)	Molette	Ward
Coburn	Haynes (Lowndes)	Nelson	Weaver
Cole	Hornsby	O'Neal	White (Perry)
Cox	Knight	Pinkston	Wood (Bibb)

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House.

H. 2. To amend sections 1, 2 and 5 of Act No. 317, approved December 9, 1859, entitled "An Act To Incorporate the Grand Lodge of Free and Accepted Masons of the State of Alabama and the subordinate Lodges under its jurisdiction," as amended.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 25. Relating to Cullman County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 16. To amend Section 11 of Act No. 329, H. 714, approved July 1, 1943, (General Acts of Alabama, 1943, p. 311), as amended, entitled the "Farm to Market Road Act of 1943."

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED

S. 9. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Crocker	McClendon	Ramey
Adams (Jefferson)	Denton	McDanal	Roberts
Beatty	Dobbs (Fayette)	McDonald	Sellers
Benford	Dyar	Martin	Shelton
Black	Ganey	Mathison	Sightler
Brassell	Garrett	Meeks	Still
Brown	George	Merrill	Taylor (Autauga)
Buckner	Gibson	Miller	Thompson (Crenshaw)
Busby	Gillis	Mitchell	Thompson (Pike)
Bush	Hankins	Molette	Wallace
Callahan	Haynes (Franklin)	Nelson	Ward
Coburn	Haynes (Lowndes)	O'Neal	Weaver
Cole	Hornsby	Pinkston	White (Perry)
Cox	Larkins	Pinson	Wood (Bibb)

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RESOLUTION

The following resolution was introduced:

By Mr. Shelton:

H. J. R. 16. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, THAT SENATE BILL NO. 15 BE NAMED THE QUARLES, HENDERSON, PINSON BILL.

On motion of Mr. Shelton the rules were suspended and H. J. R. 16 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 2. To amend sections 1, 2 and 5 of Act No. 317, approved December 9, 1859, entitled "An Act To Incorporate the Grand Lodge of Free and Accepted Masons of the State of Alabama and the subordinate Lodges under its jurisdiction," as amended.

Also:

H. 16. To amend Section 11 of Act No. 329, H. 714, approved July 1, 1943 (General Acts of Alabama, 1943, p. 311), as amended, entitled the "Farm to Market Road Act of 1943."

Also:

H. 25. Relating to Cullman County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Beck:

H. J. R. 17. Be it Resolved by the House the Senate concurring that House Bill No. 2 be known as the Cater-Martin-Beck bill.

On motion of Mr. Beck the rules were suspended and H. J. R. 17 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested.

S. 9. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

S. 15. To amend Section 29 of Title 60 of the Code of Alabama (1940), as amended, which relates to the amounts of pensions to be paid to Confederate veterans and their widows.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Quarles:

S. J. R. 10. Be it resolved by the Senate, the House of Representatives concurring, that Senate Bill No. 15 be designated as the Quarles, Henderson, Molette and Givhan bill.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Molette the rules were suspended and the House concurred in and adopted the S. J. R. 10 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 17. Relative to naming H. B. 2.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Roberts:

H. J. R. 18. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of six (6), three members of the House to be appointed by the Speaker of the House, and three members of the Senate to be appointed by the Presiding Officer of the Senate, to wait upon the Governor and inform him that the Legislature now stands ready to adjourn sine die and awaits any further message that he might desire to transmit.

On motion of Mr. Roberts the rules were suspended and H. J. R. 18 was adopted.

And the Speaker named as a committee on the part of the House Messrs. Roberts, Coburn and McGowin.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 18. Relative to appointing Joint Committee to notify the Governor that the Legislature stands ready to adjourn sine die and awaits any further message he might desire to transmit.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Hooton, Howle and Cater.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 17. Relative to designating H. B. 2 as the Cater, Martin, Beck Bill.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested.

S. J. R. 10. Relative to naming Senate Bill 15 the Quarles, Henderson, Molette, and Givhan Bill.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Quarles:

S. J. R. 11. Resolved by the Senate, the House concurring, that the name of Mr. Pinson be added as a co-author of Senate Bill No. 15.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Molette the rules were suspended and the House concurred in and adopted the S. J. R. 11 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested.

S. J. R. 11. Relative to adding the name of Mr. Pinson to Senate Bill 15.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Kendall:

S. J. R. 12. RESOLVED BY THE SENATE, the House concurring, that House Bill No. 15 be designated the Garrett-Swift Bill.

Also:

By Mr. Boutwell:

S. J. R. 13. Resolved that House Bill 13 be known as the Patton-Broadwater Bill.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 12 and S. J. R. 13, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested.

S. J. R. 12. Relative to designating House Bill 15 the Garrett-Swift Bill.

Also:

S. J. R. 13. Relative to House Bill 13 being known as the Patton-Broadwater Bill.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

By Mr. Garrett:

H. 15. Proposing an amendment to the Constitution of Alabama: To authorize the several school districts of Monroe County to levy and

collect a special school tax of thirty cents on each one hundred dollars worth of taxable property; ordering an election upon the proposed amendment to be held at the general election next succeeding the adjournment of the present session of the Legislature.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 15. Proposing an amendment to the Constitution of Alabama: To authorize the several school districts of Monroe County to levy and collect a special school tax of thirty cents on each one hundred dollars worth of taxable property; ordering an election upon the proposed amendment to be held at the general election next succeeding the adjournment of the present session of the Legislature.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:08 A. M. on August 4, 1950. H. 5, H. 18, H. 19.

Delivered to the Governor at 10:35 A. M. on August 4, 1950. H. 2, H. 16, H. 25.

Delivered to the Governor at 11:10 A. M. on August 4, 1950. H. J. R. 17.

Delivered to the Secretary of State at 12:55 P. M. on August 4, 1950. H. 15.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fifth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Fifth Legislative Day was dispensed with and the

report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Fifth Legislative Day was approved.

ADJOURNMENT

On motion of Mr. Wood of Bibb, the House adjourned sine die at 1:00 P. M.

W. M. BECK,
Speaker of the House of Representatives of the Legislature
of Alabama, Fourth Extraordinary Session, 1950.

Attest:

R. T. GOODWYN, JR.,
Clerk of the House of Representatives of the Legislature of
Alabama, Fourth Extraordinary Session, 1950.

**LEGISLATIVE DAYS—FOURTH EXTRAORDINARY SESSION,
1950**

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- Act approved December 9, 1859, Sections 1, 2 and 5, Act 317, relating to incorporation of, H. 2, pp. 12, 30, 32, 55-56, 73, 74, 75, 76, 77, 79.
- Act approved July 1, 1943, Section 11, Act 329, H. 714, as amended, relating to "Farm to Market Road Act of 1943", H. 16, pp. 13-14, 31, 32, 56, 74, 75, 79.
- Act approved August 19, 1949, Section 9, Act 424, H. 351, relating to absentee voting, H. 5, pp. 12, 30, 32, 55, 71, 72, 79.

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- Act approved September 5, 1939, Act 333, H. 815, relating to jurisdiction over public roads and bridges in Winston County, H. 30, pp. 37-39, 69-70.

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- For relief of J. L. Messer, S. 8, p. 54.
- For relief of next of kin of Eugene Ogburn, H. 28, pp. 35-36, 69, 70.
- For relief of widow of P. P. Wilson, H. 29, pp. 36-37, 69, 70.
- For Teachers' Special Pension Fund, H. 23, p. 20.
- To defray expenses of the Legislature, H. 12, p. 13.
- To the Department of Examiners of Public Accounts, H. 9, p. 13.
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- To the Department of Examiners of Public Accounts, S. 6, p. 54.

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- Proposing constitutional amendment relating to, H. 13, pp. 13, 31, 57, 78.

- Proposing constitutional amendment relating to, S. 2, pp. 53, 54, 70.

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- Proposing constitutional amendment relating to property in, S. 11, pp. 49-50, 70.

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- Title 5, Section 90, H. 32, p. 39.
- Title 5, Section 94, H. 31, p. 39.
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- Relating to Limestone County and the municipality of Athens, H. 13, pp. 13, 31, 57, 78.

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JOURNAL
OF THE
House of Representatives
OF
ALABAMA
FIFTH SPECIAL SESSION 1950

HELD IN THE CITY OF MONTGOMERY
COMMENCING WEDNESDAY, AUGUST 9, 1950



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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**JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
ALABAMA
FIFTH EXTRAORDINARY SESSION,
1950**

House of Representatives,
Montgomery, Alabama,
Wednesday, August 9, 1950.

Be it remembered that on the 4th day of August, 1950, His Excellency, James E. Folsom, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

A PROCLAMATION BY THE GOVERNOR

WHEREAS, the members of the Constitutional Convention who prepared and promulgated the Constitution of 1901 recognizing that population shifts would occur in the State of Alabama from time to time; and the voters of the State who by their ballots ratified said Constitution, understanding the provisions of apportioning membership in the House and the Senate after each decennial census, beginning in 1910, as provided by Sections 199 and 200 of said Constitution; and

WHEREAS, each of the several Legislatures which have convened since the decennial census of 1910, including the present Legislature, have failed to perform the duty required by it by Section 199 and 200 of said Constitution, and the membership thereof has failed or refused to keep and perform the oath of office to which they each subscribed upon entering upon the duties of their respective offices; and

WHEREAS, the failure of the Legislature to comply with the provisions of said Sections 199 and 200 of the Constitution of 1901 has caused to be abridged the privileges or immunities of the citizens of the State of Alabama and tends to deprive said citizens of the due process of law guaranteed to them under the Fourteenth Amendment of the Constitution of the United States; and

WHEREAS, this is the sixth time that I, James E. Folsom, as Chief Executive of the State of Alabama, have called the Legislature into Special Session, for the express purpose of complying with Sections 199 and 200 of the Constitution of Alabama of 1901; and

WHEREAS, the Legislature illegally adjourned without complying with said Sections 199 and 200 of the said Constitution of 1901; and leading Constitutional authorities are of the opinion that any Act attempted to be passed by this Legislature, or any subsequent legislature could not legally become a law because of the failure of the said legislature to take action when specifically called for the purpose of reapportionment.

WHEREAS, the possible illegality of future Acts of the Legislature has caused an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, James E. Folsom, as Governor of the State of Alabama, do hereby proclaim such extraordinary occasion to exist and I proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 12:00 M. on Wednesday, the 9th day of August, 1950, and I do hereby designate the following suggestions and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. To pass or adopt an Act or resolution providing for the holding of a Convention to alter, revise or amend the Constitution of the State of Alabama, and especially to provide for the reapportionment of the Legislature as provided in the Constitution of 1901, and submitting the question of Convention or no Convention to a vote of all of the qualified electors of the State of Alabama for their approval, as provided by Article XVIII of the Constitution of Alabama of 1901.

2. To pass an Act proposing an Amendment to Section 50 of the Constitution of Alabama 1901 providing for one Senator from each County in the State of Alabama, and to fix the number of representatives and apportion them among the several counties of the State, according to the number of inhabitants in them respectively.

3. To pass an Act proposing an Amendment to Section 197 of the Constitution of Alabama of 1901 providing for one Senator from each County in the State of Alabama.

4. To pass an Act proposing an Amendment to Section 192 of the Constitution of 1901 to fix the number of the members of the House of Representatives and to make a reapportionment of the members of the house of representatives among the several counties of the State, according to the number of inhabitants in them respectively, as ascertained by the decennial census of the United States, which apportionment when made shall not be subject to alteration until the next session of the Legislature after the next decennial census of the United States shall have been taken, as prescribed by Section 198 of the Constitution of 1901.

5. To pass an Act fixing by law the number of representatives and apportioning them among the several counties of the State, according to the number of inhabitants in them, respectively, providing that each county shall be entitled to at least one representative, as prescribed by Section 199 of the Constitution of 1901.

6. To pass an Act proposing an Amendment to Section 200 of the Constitution of Alabama of 1901 to provide that the State of Alabama be divided into sixty-seven (67) Senatorial Districts, each district to consist of one County, and providing that counties created after the adoption of this amendment shall constitute an additional Senatorial District, and to provide that one Senator be elected in and for each Senatorial District.

7. To reapportion the legislature of Alabama to comply with Article IX of the Constitution of Alabama of 1901 in such other, further or different manner as may in the wisdom of the legislature seem fit and proper.

8. To provide for the passage of any local legislation applicable to single counties or subdivisions thereof.

DONE at the Capitol of the State of Alabama on this the 4th day of August, 1950.

JAMES E. FOLSOM,
Governor.

Attest:
SIBYL POOL,
Secretary of State.

In pursuance whereof, at the hour of 12:00 M. on Wednesday the 9th day of August, 1950, the Representatives in the Legislature of Alabama, assembled in the hall of the House of Representatives.

The House was called to order by the Hon. Pelham J. Merrill, Speaker Pro Tempore of the House of Representatives.

PRAYER

The session was opened with prayer by Dr. W. W. Izard, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names:

Messrs.:	Duffee	Kaul	Roberts
Adams (Dale)	Dyar	Larkins	Robinson
Adams (Jefferson)	Evans	Lovelace	Sadler
Beatty	Faulk	McClendon	Sellers
Benford	Ganey	McDanal	Shelton
Black	Garrett	McDonald	Shirley
Brannan	George	McGowin	Sightler
Brassell	Gibson	Malone	Still
Broadwater	Gillis	Martin	Stone
Brown	Givhan	Mason	Taylor (Autauga)
Buckner	Hankins	Meeks	Taylor (Hale)
Busby	Harris	Merrill	Thagard
Bush	Harrison	Miller	Thomas
Callahan	Haynes (Franklin)	Molette	Thompson (Crenshaw)
Coburn	Haynes (Lowndes)	Nettles	Thompson (Pike)
Cole	Head	Norman	Wallace
Cox	Hornsby	Pinkston	Ward
Crocker	Howell	Pinson	Weaver
Denton	Ingalls	Pruitt	Whitcomb
Dobbs (Elmore)	Inzer	Ramey	Wood (Bibb)
Dobbs (Fayette)			

—80

A quorum was present.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Roberts:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES THAT the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Roberts the rules were suspended and H. R. 1 was adopted.

Also:

By Mr. Roberts:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED that the said Committee ascertain and report back to these bodies if the Governor desires to address a joint session of the Legislature and if so, the time most suitable to His Excellency.

On motion of Mr. Roberts the rules were suspended and H. J. R. 2 was adopted.

And the Speaker Pro Tempore named as a committee on the part of the House Messrs. Roberts, Coburn and Inzer.

Also:

By Mr. Howell:

H. J. R. 3. Whereas, the death of Representative Tarvey W. Bennett has deprived the Legislature and the State of a valuable and honorable public servant, and

Whereas, his services and activities as a member of the House of Representatives have been a substantial contribution to the welfare of the State, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The death of Tarvey W. Bennett is mourned by the members of the Legislature.

2. The sympathy of the members of the Legislature is hereby extended to the surviving members of the deceased's family.

3. The Clerk of the House of Representatives is directed to forward a copy of this resolution to the family of Tarvey W. Bennett.

On motion of Mr. Howell the rules were suspended and H. J. R. 3 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify you that the Senate is now in session and ready for the transaction of business.

J. E. SPEIGHT,
Secretary.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Merrill:

H. 1. To fix and provide for the payment of expenses to be allowed legislators, other than actual expenses of traveling, pursuant to Amendment LVII of the Constitution.

Judiciary.

By Mr. Coburn:

H. 2. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Constitution and Elections.

By Mr. Thompson (Crenshaw):

H. 3. Proposing an amendment to the Constitution of Alabama relating to legislative representation.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Thompson (Crenshaw):

H. 4. Relating to legislative representation; making an apportionment of senators and representatives among the several counties; providing for their election; and repealing conflicting laws.

Constitution and Elections.

By Mr. Thompson (Crenshaw):

H. 5. To provide for civil defense: Creating an Office of Civil Defense; providing for a Director of Civil Defense, fixing his compensation, powers and duties; and creating an Advisory Committee to advise and assist the Director.

Public Welfare.

By Mr. Miller:

H. 6. To limit the time for assessment and collection of the retail sales tax imposed by law.

Judiciary.

By Mr. Miller:

H. 7. To amend Section 766 of Title 51 of the Code of Alabama (1940) relating to the incorrect payment of sales taxes.

Judiciary.

By Mr. Roberts:

H. 8. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one Senator from each County; ordering an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next General Election in November 1950.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Evans:

H. 9. To amend Section 7 of Act 1, H. 46, approved May 22, 1945 (General Acts, 1945, p. 4), relating to the State Oil and Gas Board.

Judiciary.

By Messrs. Brassell, Thompson (Crenshaw), Evans, Busby, Coburn, Gillis, Black, Broadwater, Dyar, Merrill, Shelton, McDanal, Still, Pinson, Dobbs (Fayette), Hankins, McDonald, Bush, Howell, Ramey, Cox, Benford, Roberts, Cole and Crocker:

H. 10. To fix and provide for the payment of expenses to be allowed legislators, other than actual expenses of traveling, pursuant to Amendment LVII of the Constitution.

Judiciary.

By Mr. Haynes (Franklin):

H. 11. Proposing an amendment to the Constitution of Alabama relative to Franklin County.

Local Legislation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Haynes (Franklin):

H. 12. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Franklin County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Franklin County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals,

firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Local Legislation.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Gibson and Meeks:

H. 13. Relating to the taxation of property owned and used by colleges: To exempt from taxes all property owned and used by colleges for housing students, faculty members or other employees of such colleges, and to exempt property owned by colleges for enlargement of campus or for new campus.

Judiciary.

By Mr. Ingalls:

H. 14. Making an additional appropriation to the Department of Examiners of Public Accounts for the fiscal year 1950-51.

Judiciary.

By Mr. Ingalls:

H. 15. To provide legal counsel for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this Act.

Judiciary.

By Mr. Brassell:

H. 16. To amend Section 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts of Alabama, 1945, page 734), as amended, which establishes a state employees' retirement system.

State Administration.

By Mr. Adams (Jefferson):

H. 17. To reapportion the Membership of the House of Representatives among the several Counties of the State.

Constitution and Elections.

By Mr. Callahan:

H. 18. To reapportion the Membership of the House of Representatives among the several Counties of the State.

Constitution and Elections.

By Mr. Weaver (with notice and proof):

H. 19. To repeal an act entitled "An Act To withdraw and take away from the Court of County Commissioners of Winston County, Alabama, all jurisdiction over public roads and bridges and public road and bridge funds in said county; to create and establish a Highway Board for said county to be composed of five members, one of whom shall be Chairman, all to be appointed by the Governor of Alabama from the county at large; and to invest said Highway Board with jurisdiction, authority and power over public roads and bridges and over public road and bridge funds in and for said county; to provide for the terms of office and compensation of said members; to provide for a secretary and treasurer of said Board and to fix his compensation; to define the powers, jurisdiction, duties, authority, and responsibilities of said Board and of the Chairman thereof and to regulate purchases made by said Board and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama." approved September 5, 1939, (Act No. 333, H. 815, Mayhall; Local Acts, 1939, pages 221-225); to create and establish a Board of Revenue for Winston County, Alabama, to be composed of five members, one of whom shall be chairman; to invest said Board of Revenue with exclusive jurisdiction, authority, and power over public roads and bridges and over public road and bridge

funds in and for said county; to define the powers, jurisdiction, authority, duties, and responsibilities of said Board of Revenue and its members (including its chairman) to divide Winston County into five civil districts; to provide for the election of one member of said Board of Revenue from each of said civil districts at the general election to be held in November, 1956, and every six years thereafter; to provide for the filling of vacancies in said offices by appointment by the Governor of Alabama; to provide that the members of the Winston County Highway Board as constituted at the time of the passage of this act shall constitute the members of said Board of Revenue until the first Tuesday after the second Monday in January, 1957, and until their successors are elected and qualified; to fix the qualifications of the members and chairman of said Board of Revenue; to fix the term of office of said members at six years, such terms to begin on the first Tuesday after the second Monday in January of the year 1957 and every sixth year thereafter; to fix the compensation of the members and chairman of said board at the same rate which has heretofore been provided for the members of the Winston County Highway Board until the first Tuesday after the second Monday in January, 1951, after which date the compensation of each member, including the chairman, shall be \$225.00 per month; to provide where the members of said Board shall reside during their terms of office; to provide the times when said board shall meet; to provide for a Secretary and Treasurer of said Board to be appointed by said Board, and to define his duties and fix his compensation at the same time which has heretofore been provided for the Secretary and Treasurer of the Highway Board of said County, until the first Tuesday after the second Monday in January, 1951, after which date such salary shall be \$175.00 per month; to regulate purchase made by said Board of Revenue, and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama.

Local Legislation.

Notice and Proof H. B. 19:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama, at the next special called session of 1950, for the passage of a local act, in and for Winston County, Alabama, in substance as follows:

A BILL TO BE ENTITLED AN ACT

To repeal an act entitled "An Act To withdraw and take away from the Court of County Commissioners of Winston County, Alabama, all jurisdiction over public roads and bridges and public road and bridge funds in said county; to create and establish a Highway Board for said county to be composed of five members, one of whom shall be Chairman, all to be appointed by the Governor of Alabama from the county at large; and to invest said Highway Board with jurisdiction, authority and power over public roads and bridges and over public road and bridge funds in and for said county; to provide for the terms of office and compensation of said members; to provide for a secretary and treasurer of said Board and to fix his compensation; to define the powers, jurisdiction, duties, authority, and responsibilities of said Board and of the Chairman thereof and to regulate purchases made by said Board and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama," approved September 5, 1939, (Act No. 333, H. 815, Mayhall; Local Acts, 1939, pages 221-225); to create and establish a Board of Revenue for Winston County, Alabama, to be composed of five members, one of whom shall be chairman; to invest said Board of Revenue with exclusive jurisdiction, authority, and power over public roads and bridges and over

public road and bridge funds in and for said county; to define the powers, jurisdiction, authority, duties, and responsibilities of said Board of Revenue and its members (including its chairman) to divide Winston County into five civil districts; to provide for the election of one member of said Board of Revenue from each of said civil districts at the general election to be held in November, 1956, and every six years thereafter; to provide for the filling of vacancies in said offices by appointment by the Governor of Alabama; to provide that the members of the Winston County Highway Board as constituted at the time of the passage of this act shall constitute the members of said Board of Revenue until the first Tuesday after the second Monday in January, 1957, and until their successors are elected and qualified; to fix the qualifications of the members and chairman of said Board of Revenue until the fice of said members at six years, such terms to begin on the first Tuesday after the second Monday in January of the year 1957 and every sixth year thereafter; to fix the compensation of the members and chairman of said board at the same rate which has heretofore been provided for the members of the Winston County Highway Board until the first Tuesday after the second Monday in January, 1951, after which date the compensation of each member, including the chairman, shall be \$225.00 per month; to provide where the members of said Board shall reside during their terms of office; to provide the times when said board shall meet; to provide for a Secretary and Treasurer of said Board to be appointed by said Board, and to define his duties and fix his compensation at the same rate which has heretofore been provided for the Secretary and Treasurer of the Highway Board of said County, until the first Tuesday after the second Monday in January, 1951, after which date such salary shall be \$175.00 per month; to regulate purchase made by said Board of Revenue, and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for 4 consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 14th day of July, 1950, and the last copy of said publication appearing in the said paper on the 4th day of August, 1950.

JAY THORNTON.

Sworn and subscribed to before me this 7 day of Aug., 1950.

R. J. THORNTON.
Notary Public.

My Commission expires July 21, 1954.

By Messrs. Beatty and Adams (Dale):

H. 20. To authorize the Commissioner of Public Welfare to make or have made photographic reproductions of books, records, papers, or other documents required to be maintained or kept by the Department of Public Welfare or any subdivision thereof; and to authorize the Commissioner to dispose of any such books, records, papers, or other documents so photographed; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the documents themselves, and to provide for the admission as evidenced by duly certified

photostatic copies or other copies of the original microfilms, photostats, or other similar photographs; to provide for the repeal of all laws in conflict with this act; and to provide for the severability of the provisions of this act in the event that any part is declared to be null or void; and to provide the effective date of this act.

Public Welfare.

By Mr. Miller:

H. 21. To amend Section 197, Title 52, Code of Alabama 1940, to provide for employees in school building operation, maintenance, or clerical work not connected directly with teaching or supervision of instruction to take their vacations during any time of the year which is convenient to the board of education.

Education.

By Mr. Beck:

H. 22. To amend Section 661 of Title 7 of the Code of Alabama (1940), which relates to the homestead exempted from administration and the payment of debts in favor of the widow and minor child or children; making the amendment retroactive.

Judiciary.

RESOLUTIONS

By Mr. McGowin:

H. J. R. 4. WHEREAS, the Governor has called another special session of the Legislature to consider reapportionment measures; and

WHEREAS, during the current quadriennium many reapportioning and re-districting measures have been presented to the Legislature in both regular and special sessions; and

WHEREAS, it is apparent that none of these measures were satisfactory in view of the unfavorable actions taken on them by the Legislature;

NOW THEREFORE BE IT RESOLVED by the House of Representatives, the Senate concurring, that a committee of nine members be appointed—five from the House of Representatives to be appointed by the Speaker of the House and four from the Senate to be appointed by the Lieutenant Governor to study this subject in all of its aspects and to report its recommendations to the Legislature.

BE IT FURTHER RESOLVED that this joint committee designate one of its members as chairman and that the committee members be paid the usual per diem only for days actually in attendance, and which days shall be certified by the chairman.

BE IT FURTHER RESOLVED that when the two houses adjourn today they adjourn to meet again on Tuesday, October 17, 1950, at 12 Noon and during this recess the members, other than those designated in the preceding paragraphs shall receive no compensation.

H. J. R. 4 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Stone:

H. R. 5. WHEREAS, on Tuesday, August 8, 1950 the honorable Sidney S. Pfleger was elected to fill the vacancy in Post No. 1 from Mobile County in the House of Representatives created by the Resignation of the Honorable Thomas A. Johnston III; and

WHEREAS, Section 46 of the Constitution provides that Senators and Representatives shall take office on the day after their elections; and

WHEREAS, Section 51 of the Constitution provides that the House of Representatives shall be judge of the election returns, and qualifications of its members; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Honorable Sidney S. Pflieger be and is hereby declared to be a member of this House of Representatives.

On motion of Mr. Stone the rules were suspended and H. R. 5 was adopted.

Also:

By Messrs. Ingalls, Sightler and Busby:

H. J. R. 6. WHEREAS Alabama State College for Negroes, Montgomery, Alabama, established seventy-five years ago for the purpose of serving as a State University for Negroes, is a Class A accredited College by the Southern Association of Colleges and Secondary Schools, is offering the Master's degree in Education, and graduated more Negroes with the Bachelor's Degree last year than any other college in America, and

WHEREAS the late Honorable William Burns Paterson served as the first President of the College and gave it sound direction in its beginning, and

WHEREAS the present President, Dr. H. Councill Trenholm, succeeded his father, Professor George W. Trenholm, as President of Alabama State College for Negroes twenty-five years ago, and has worked unceasingly with great diligence to build up the College, and

WHEREAS the College has exercised outstanding leadership in the harmonious and peaceful development of the Negro race to bring about its maximum contributions to the welfare of all the people of the State,

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the SENATE CONCURRING:

1. That we do recognize the contributions of the Alabama State College for Negroes and especially take notice of the seventy-fifth anniversary of this College, and

2. That we express our appreciation to Dr. H. Councill Trenholm on his twenty-fifth anniversary as President of Alabama State College for Negroes for his leadership and untiring efforts for the best development of the people of his race in their efforts to make the maximum contributions to the harmonious development of the people of this State.

On motion of Mr. Ingalls the rules were suspended and H. J. R. 6 was adopted.

Also:

By Messrs. Givhan and Molette:

H. R. 7. WHEREAS, on Tuesday, August 8, 1950 the Honorable Frank Hardy was elected to fill the vacancy in Post No. 2 from Dallas County in the House of Representatives created by the Resignation of the Honorable Tom Martin, Jr.; and

WHEREAS, on Tuesday, August 8, 1950 the Honorable Horace T. Armstrong was elected to fill the vacancy in Post No. 2 from Jackson County in the House of Representatives created by the Resignation of the Honorable John Snodgrass; and

WHEREAS, on Tuesday, August 8, 1950 the Honorable John A. Crook was elected to fill the vacancy in Post No. 2 from Bullock County in the House of Representatives created by Honorable Willis L. McIlwain, deceased; and

WHEREAS, Section 46 of the Constitution provides that Senators and Representatives shall take office on the day after their election; and

WHEREAS, Section 51 of the Constitution provides that the House of Representatives shall be judge of the election returns, and qualifications of its members; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Honorable Frank Hardy, Honorable Horace T. Armstrong and Honorable John A. Crook be and they are hereby declared to be members of this House of Representatives.

On motion of Mr. Givhan the rules were suspended and H. R. 7 was adopted.

OATH OF OFFICE

In accordance with and pursuant to H. R. 5, the oath of office prescribed by the Constitution and laws of the State of Alabama was administered by Hon. Pelham J. Merrill, Speaker Pro Tempore of the House to Hon. Sidney S. Pfleger from Mobile County.

MESSAGE FROM THE GOVERNOR

To the House of Representatives of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,
W. V. (Bill) LYERLY,
Executive Secretary.

August 9, 1950.

To the House of Representatives of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

Our soldiers are at the front in Korea this day, fighting for the way of life which we are privileged to know here in America. They are fighting and dying for the preservation of a way of life which gives our people the right of choice—the right to choose sides in politics, religion, and major questions. Only a democracy affords its people that choice.

We are fighting for that right of choice in Korea today.

It seems to me if we are to preach that theme to Korea and the world, we first should be about our Father's business here at home. We should put our house of democracy in order here in Alabama.

How can we expect soldiers at the battlefield to believe in what they are fighting and dying for, when such an indifferent attitude is being taken on the problem of extending full democracy to our people in this State?

The fighting in Korea and the question of reapportionment are not so very far apart as some might be prone to think. Both are concerned with the freedom of choice and the rule of the majority.

A minority group usurps the right of the majority, and forces its selfish connivings upon the many.

And that brings us to a situation which is closely akin to what we are confronted with here at home this day. We have a minority group who is determined to hold onto its power, regardless of how much long range deterioration and chaos it may cause the state and the people. This minority group here in Alabama whether it fully realizes it or not, is preventing democracy from being fully effective here at home. It is making it so that our people shall not have the full freedom of choice which is guaranteed them by our constitution.

It is hard to understand why a group of our lawmakers refuses to give our people their full and rightful share of democracy. Our people are talking. Everywhere in Alabama today they are talking about re-

apportionment as never before in our State's history. And it is hard for them to understand why a minority group will put their own selfish gain ahead of our most basic and fundamental concept of democracy.

Gentlemen, we face a most serious situation.

This legislature is either going to settle down to an honest reapportionment bill and vote upon it, either for or against, in both houses, or else it is going to be recorded in the pages of Alabama history as a legislature which refused to perform its duties according to the law. It will be recorded as a legislature which failed democracy in Alabama, and in doing so, failed the people.

There is no malice in my heart toward anyone about this matter. I am following the dictates of my conscience which I believe to be right beyond a shadow of doubt, because the language of our constitution is easily understood.

And so today, I am making the strongest plea of my life to you public servants who make the laws for the three million people of Alabama.

I am making a plea to you to search out your hearts for the wisdom of Jesus Christ who gave to civilized man a pattern of democracy unequalled by anything the world has ever known.

I am making a plea to you to give our people an honest democratic choice here in Alabama.

And now, gentlemen, the plea for justice, the plea for equal voice under the law, the plea for choice, rests in your hands.

I trust that you will deliberate upon the matter and find it in your hearts to put our house of democracy in order here at home.

I thank you.

Respectfully,
JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

Received, read and ordered filed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clayton:

S. J. R. 1. Resolved by the Senate, the House concurring, that the Legislature do adjourn sine die.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 1 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion of Mr. Roberts to adjourn until Thursday, August 10, 1950, at ten o'clock A. M., was lost.

Yeas 13; Nays 43.

Yeas:

Messrs.:	Cole	Haynes (Franklin)	Roberts
Brassell	Cox	Howell	Thompson (Crenshaw)
Busby	Dyar	McDanal	Weaver
Coburn	Evans		

—13

Nays:

Messrs.:	Faulk	McClendon	Pinson
Adams (Dale)	Ganey	McGowin	Sadler
Adams (Jefferson)	George	Malone	Stone
Beatty	Gibson	Martin	Thagard
Brannan	Givhan	Mason	Thomas
Broadwater	Harris	Meeks	Thompson (Pike)
Brown	Harrison	Merrill	Wallace
Bush	Haynes (Lowndes)	Miller	Ward
Crocker	Hornsby	Molette	Whitcomb
Denton	Ingalls	Norman	White (Perry)
Duffee	Kaul	Pfleger	Wood (Bibb)

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RECESS

On motion of Mr. McGowin the House recessed for fifteen minutes.

Yeas 54; Nays 0.

Yeas:

Messrs.:	Ganey	McClendon	Sadler
Adams (Dale)	Garrett	McGowin	Shelton
Adams (Jefferson)	George	Malone	Sightler
Beatty	Gibson	Martin	Stone
Brannan	Givhan	Mason	Taylor (Hale)
Broadwater	Hankins	Meeks	Thagard
Brown	Harris	Merrill	Thomas
Busby	Harrison	Miller	Thompson (Pike)
Bush	Haynes (Lowndes)	Molette	Wallace
Coburn	Hornsby	Nelson	Ward
Crocker	Howell	Norman	Whitcomb
Denton	Ingalls	Pfleger	White (Perry)
Duffee	Kaul	Pinson	Wood (Bibb)
Faulk	Lovellace	Ramey	

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The House reconvened. The Speaker Pro Tempore called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House joint resolution and returns same herewith to the House:

H. J. R. 2. Relative to appointing committee to notify Governor Legislature is now in session.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Boutwell and Mize.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House joint resolution and returns same herewith to the House.

H. J. R. 3. Extending sympathy to the family of Hon. Tarvey W. Bennett.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House joint resolution and returns same herewith to the House:

H. J. R. 6. Recognizing contributions of Alabama State College for Negroes, and expressing appreciation to Dr. H. Council Trenholm.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate joint resolution and sends same herewith to the House for its consideration:

By Mr. Cater:

S. J. R. 5. WHEREAS Alabama State College for Negroes, Montgomery, Alabama, established seventy-five years ago for the purpose of serving as a State University for Negroes, is a Class A accredited College by the Southern Association of Colleges and Secondary Schools, is offering the Master's degree in Education, and graduated more Negroes with the Bachelor's degree last year than any other college in America, and

WHEREAS the late Honorable William Burns Paterson served as the first President of the College and gave it sound direction in its beginning, and

WHEREAS the present President, Dr. H. Council Trenholm, succeeded his father, Professor George W. Trenholm, as President of Alabama State College for Negroes twenty-five years ago, and has worked unceasingly with great diligence to build up the College, and

WHEREAS the College has exercised outstanding leadership in the harmonious and peaceful development of the Negro race to bring about its maximum contributions to the welfare of all the people of the State,

NOW THEREFORE BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That we do recognize the contributions of the Alabama State College for Negroes and especially take notice of the seventy-fifth anniversary of this College, and

2. That we express our appreciation to Dr. H. Council Trenholm on his twenty-fifth anniversary as President of Alabama State College for Negroes for his leadership and untiring efforts for the best development of the people of his race in their efforts to make the maximum contributions to the harmonious development of the people of this State.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 5 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

REPORT OF RULES COMMITTEE

Mr. Merrill, Vice Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report, with amendment.

By Mr. McGowin:

H. J. R. 4. WHEREAS, the Governor has called another special session of the Legislature to consider reapportionment measures; and

WHEREAS, during the current quadriennium many reapportioning and re-districting measures have been presented to the Legislature in both regular and special sessions; and

WHEREAS, it is apparent that none of these measures were satisfactory in view of the unfavorable actions taken on them by the Legislature;

NOW THEREFORE BE IT RESOLVED by the House of Representatives, the Senate concurring, that a committee of nine members be appointed—five from the House of Representatives to be appointed by the Speaker of the House and four from the Senate to be appointed by the Lieutenant Governor to study this subject in all of its aspects and to report its recommendations to the Legislature.

BE IT FURTHER RESOLVED that this joint committee designate one of its members as chairman and that the committee members be paid the usual per diem only for days actually in attendance, and which days shall be certified by the chairman.

BE IT FURTHER RESOLVED that when the two houses adjourn today they adjourn to meet again on Tuesday, October 17, 1950, at 12 Noon and during this recess the members, other than those designated in the preceding paragraphs shall receive no compensation.

Said amendment being as follows:

Amend H. J. R. 4 in the last paragraph thereof by substituting for the words and figures October 17, 1950 the words and figures October 3, 1950.

On motion of Mr. McGowin the amendment to H. J. R. 4 reported by the Standing Committee on Rules was adopted.

Yeas 68; Nays 4.

Yeas:

Messrs.:	Cox	Hankins	Malone
Adams (Dale)	Crocker	Harris	Martin
Adams (Jefferson)	Denton	Harrison	Mason
Beatty	Dobbs (Fayette)	Haynes (Franklin)	Merrill
Benford	Duffee	Head	Miller
Brannan	Dyar	Hornsby	Molette
Brassell	Evans	Howell	Nelson
Broadwater	Faulk	Ingalls	Norman
Brown	Ganey	Larkins	Pfleger
Buckner	Garrett	Lovelace	Pinson
Busby	George	McClendon	Ramey
Bush	Gibson	McDanal	Roberts
Coburn	Gillis	McDonald	Sadler
Cole	Givhan	McGowin	Sightler

Still	Thomas	Wallace	Whitcomb
Stone	Thompson (Crenshaw)	Ward	White (Perry)
Taylor (Autauga)	Thompson (Pike)	Weaver	Wood (Bibb)
Thagard			

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Nays:

Messrs.: Haynes (Lowndes)	Inzer	Kaul	Meeks
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—4

And H. J. R. 4, as thus amended, was adopted.

REPORT OF RULES COMMITTEE

Mr. Merrill, Vice Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with an adverse report.

By Mr. Clayton:

S. J. R. 1. Resolved by the Senate, the House concurring, that the Legislature do adjourn sine die.

And said resolution, S. J. R. 1, was read a second time and placed on the Adverse Calendar.

NOTICE IN WRITING BY MR. KAUL

Notice is hereby given that on the next legislative day a motion will be made to take Senate Joint Resolution No. 1 from the adverse calendar.

RECESS

On motion of Mr. Benford the House recessed until three o'clock this afternoon.

Yeas 37; Nays 22.

Yeas:

Messrs.:	Dobbs (Fayette)	Haynes (Franklin)	Ramey
Adams (Jefferson)	Duffee	Head	Roberts
Beatty	Dyar	Inzer	Sadler
Benford	Evans	McClendon	Still
Black	Ganey	McDanal	Thagard
Brannan	Garrett	Martin	Thompson (Crenshaw)
Buckner	George	Merrill	Thompson (Pike)
Coburn	Gibson	Miller	Weaver
Cox	Hankins	Norman	Wood (Bibb)
Denton	Harris		

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Nays:

Messrs.:	Harrison	Mason	Taylor (Hale)
Adams (Dale)	Haynes (Lowndes)	Molette	Thomas
Brown	Hornsby	Nelson	Wallace
Crocker	Ingalls	Pinson	Ward
Faulk	Larkins	Sightler	Whitcomb
Givhan	Malone	Stone	

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AFTERNOON SESSION

The hour of three o'clock P. M. having arrived, the House reconvened.

OATH OF OFFICE

In accordance with and pursuant to H. R. 7, the oath of office prescribed by the Constitution and laws of the State of Alabama was administered by Hon. Pelham J. Merrill, Speaker Pro Tempore of the House to Hon. Frank Hardy from Dallas County.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolutions, to wit;

H. J. R. 3. Relative to the Legislature of Alabama mourning the death of Representative Tarvey W. Bennett and extending sympathy to the family of the deceased.

Also:

H. J. R. 6. Relative to the Legislature of Alabama recognizing the contributions of the Alabama State College for Negroes and taking notice of the seventy-fifth anniversary of this College and also expressing appreciation to the President, Dr. H. Councill Trenholm.

And finds same correctly enrolled.

P. J. MERRILL,
Vice-Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Thagard:

H. R. 8. WHEREAS, the Honorable Reece White, who is an able and popular member of this House, has because of illness, missed the many delightful, harmonious and constructive sessions of this body during the current summer, and

WHEREAS, we have been grieved by his absence and have missed his able services, and

WHEREAS, it is our very great desire that in the sessions to come he share in our pleasures and that we have the benefit of his participation in our deliberations;

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that we wish for Mr. White his speedy restoration to robust health and his prompt return to full time service in this Body.

BE IT FURTHER RESOLVED that a copy of this resolution be sent by the Clerk of the House to the Honorable Reece White.

On motion of Mr. Thagard the rules were suspended and H. R. 8 was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Roberts to adjourn until Thursday, August 10, 1950, at ten o'clock A. M., was lost.

Yeas 9; Nays 43.

Yeas:

Mr. Speaker
Cox
Dyar

Gibson
McDonald

Roberts
Still

Thompson (Crenshaw)
Thompson (Pike)

Nays:

Messrs.:	Ganey	Kaul	Norman
Adams (Dale)	George	Lovelace	Sadler
Adams (Jefferson)	Hankins	McClendon	Taylor (Autauga)
Beatty	Hardy	McGowin	Taylor (Hale)
Benford	Harris	Malone	Thagard
Brannan	Harrison	Martin	Thomas
Brassell	Haynes (Franklin)	Mason	Wallace
Broadwater	Haynes (Lowndes)	Meeks	Ward
Brown	Hornsby	Merrill	Whitcomb
Bush	Ingalls	Miller	White (Perry)
Denton	Inzer	Molette	Wood (Bibb)

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RECESS

On motion of Mr. McGowin the House recessed for thirty minutes.

The House reconvened. The Speaker called the House to order.

RESOLUTION

The following resolution was introduced:

By Mr. Brannan:

H. J. R. 9. WHEREAS, Fort Morgan is a place of great historic interest, and

WHEREAS, The Legislature is desirous of having Fort Morgan and Fort Morgan Park properly cared for and beautified, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That:

1. The State Department of Conservation is hereby requested to employ or assign a landscape engineer to plan and supervise the beautification of Fort Morgan Park.

2. The State Department of Conservation is hereby further requested to employ or assign an architect to plan and supervise the restoration of Fort Morgan.

3. The Clerk of the House is directed to transmit a copy of this resolution to the Director of the Department of Conservation.

On motion of Mr. Brannan the rules were suspended and H. J. R. 9 was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. McDanal to adjourn until Thursday, August 10, 1950, at two o'clock P. M., was lost.

Yeas 34; Nays 35.

Yeas:

Mr. Speaker	Dyar	McDonald	Ramey
Benford	Evans	Martin	Roberts
Brassell	Ganey	Merrill	Shelton
Buckner	Gillis	Miller	Still
Callahan	Hardy	Nelson	Taylor (Autauga)
Coburn	Haynes (Franklin)	Pinkston	Thompson (Crenshaw)
Cole	Head	Pinson	Thompson (Pike)
Cox	Howell	Pruitt	Weaver
Dobbs (Fayette)	McDanal		

—34

Nays:

Messrs.:	Duffee	Inzer	Molette
Adams (Dale)	Garrett	Kaul	Pfleger
Adams (Jefferson)	George	Larkins	Sadler
Beatty	Gibson	Lovelace	Stone
Brannan	Hankins	McClendon	Thagard
Brown	Harris	McGowin	Thomas
Busby	Harrison	Malone	Ward
Bush	Haynes (Lowndes)	Mason	White (Perry)
Denton	Ingalls	Mitchell	Wood (Bibb)

—35

MOTION TO ADJOURN LOST

The motion of Mr. Brassell to adjourn until Thursday, August 10, 1950, at twelve o'clock noon, was lost.

Yeas 29; Nays 32.

Yeas:

Mr. Speaker	Dyar	McDanal	Ramey
Benford	Evans	McDonald	Roberts
Brassell	Ganey	Martin	Shelton
Buckner	Gillis	Merrill	Still
Callahan	Haynes (Franklin)	Miller	Thompson (Crenshaw)
Coburn	Head	Nelson	Thompson (Pike)
Cole	Howell	Pinkston	White (Perry)
Dobbs (Fayette)			

—29

Nays:

Messrs.:	George	Kaul	Stone
Adams (Dale)	Gibson	Larkins	Taylor (Hale)
Adams (Jefferson)	Hankins	Lovelace	Thagard
Beatty	Harris	McGowin	Thomas
Brannan	Harrison	Malone	Wallace
Brown	Haynes (Lowndes)	Mason	Ward
Bush	Ingalls	Pfleger	Whitcomb
Denton	Inzer	Sadler	Wood (Bibb)
Garrett			

—32

MOTION TO RECESS LOST

The motion of Mr. Adams of Jefferson to recess for fifteen minutes was lost.

Yeas 37; Nays 14.

Yeas:

Mr. Speaker	Cox	Harris	Pinkston
Adams (Dale)	Denton	Harrison	Roberts
Adams (Jefferson)	Duffee	Howell	Thagard
Beatty	Dyar	Inzer	Thomas
Benford	Evans	Larkins	Thompson (Pike)
Brannan	Ganey	McClendon	Wallace
Brown	Garrett	McGowin	Ward
Buckner	George	Merrill	Weaver
Busby	Hankins	Miller	Wood (Bibb)
Coburn			

—37

Nays:

Messrs.:	Dobbs (Fayette)	Malone	Shelton
Brassell	Haynes (Franklin)	Martin	Stone
Bush	Haynes (Lowndes)	Meeks	Whitcomb
Cole	Ingalls	Ramey	—14

MOTION TO ADJOURN LOST

The motion of Mr. McDanal to adjourn until Thursday, August 10, 1950, at two o'clock P. M., was lost.

Yeas 18; Nays 32.

Yeas:

Messrs.:	Hankins	Martin	Sightler
Callahan	Haynes (Franklin)	Merrill	Thompson (Pike)
Coburn	Howell	Molette	Weaver
Dobbs (Fayette)	Larkins	Nelson	Whitcomb
Dyar	McDanal	Ramey	—18

Nays:

Messrs.:	Ganey	Kaul	Sadler
Adams (Dale)	Garrett	McGowin	Still
Adams (Jefferson)	George	Malone	Stone
Beatty	Harris	Meeks	Taylor (Hale)
Benford	Harrison	Miller	Thagard
Broadwater	Haynes (Lowndes)	Pinson	Thomas
Bush	Ingalls	Pruitt	Wallace
Denton	Inzer	Roberts	Ward
Duffee			—32

MOTION TO ADJOURN LOST

The motion of Mr. McDanal to adjourn until Thursday, August 10, 1950, at twelve o'clock noon, was lost.

Yeas 23; Nays 34.

Yeas:

Messrs.:	Dobbs (Fayette)	Larkins	Ramey
Brassell	Dyar	McDanal	Shelton
Busby	Evans	McDonald	Taylor (Autauga)
Callahan	Givhan	Martin	Thompson (Crenshaw)
Coburn	Hardy	Molette	Thompson (Pike)
Cole	Head	Nelson	Weaver
			—23

Nays:

Mr. Speaker	Duffee	Ingalls	Sadler
Adams (Dale)	Ganey	Kaul	Still
Beatty	Garrett	McClendon	Taylor (Hale)
Benford	George	McGowin	Thagard
Brannan	Hankins	Meeks	Wallace
Brown	Harris	Merrill	Ward
Buckner	Harrison	Pruitt	Whitcomb
Cox	Haynes (Franklin)	Roberts	Wood (Bibb)
Denton	Howell		—34

RESOLUTION

The following resolution was introduced:

By Mr. Brannan:

H. J. R. 10. Be it resolved by the House of Representatives, the Senate concurring, that House Joint Resolution No. 9 which has passed both houses of the Legislature be and the same is hereby named the Brannan-Gulledge Resolution.

On motion of Mr. Brannan the rules were suspended and H. J. R. 10 was adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:35 P. M. on August 9, 1950.

H. J. R. 3.

H. J. R. 6.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Inzer, the House adjourned until Thursday, August 10, 1950, at ten o'clock A. M.

Yeas 36; Nays 22.

Yeas:

Messrs.:	Dobbs (Fayette)	Harris	Molette
Benford	Duffee	Haynes (Franklin)	Nelson
Brassell	Dyar	Head	Pinkston
Busby	Evans	Inzer	Ramey
Bush	Ganey	Larkins	Shelton
Callahan	Garrett	McDanal	Taylor (Autauga)
Coburn	Gillis	McDonald	Thompson (Crenshaw)
Cole	Givhan	Martin	Thompson (Pike)
Cox	Hankins	Merrill	Weaver
Denton			

—36

Nays:

Mr. Speaker	Haynes (Lowndes)	Roberts	Thomas
Adams (Dale)	Kaul	Sadler	Wallace
Beatty	McGowin	Still	Ward
Brannan	Pfleger	Stone	Whitcomb
Brown	Pinson	Thagard	Wood (Bibb)
George	Pruitt		

—22

SECOND DAY

House of Representatives,
Montgomery, Alabama,
Thursday, August 10, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Thomas J. Gross, Pastor, Frazer Memorial Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Denton	Hornsby	O'Neal
Adams (Jefferson)	Dobbs (Fayette)	Howell	Pinkston
Armstrong	Dyar	Ingalls	Pinson
Beatty	Evans	Inzer	Ramey
Benford	Ganey	Lovelace	Roberts
Black	Garrett	McClendon	Shelton
Brassell	George	McDanal	Sightler
Buckner	Gibson	McDonald	Taylor (Autauga)
Busby	Gillis	Malone	Taylor (Hale)
Bush	Givhan	Martin	Thomas
Callahan	Hankins	Meeks	Thompson (Crenshaw)
Coburn	Hardy	Merrill	Thompson (Pike)
Cole	Haynes (Franklin)	Miller	Wallace
Cox	Haynes (Lowndes)	Molette	Weaver
Crook	Head	Norman	Wood (Washington)

—60

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the First Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the First Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the First Legislative Day was approved.

OATH OF OFFICE

In accordance with and pursuant to H. R. 7 the oath of office prescribed by the Constitution and laws of the State of Alabama was administered by Hon. W. M. Beck, Speaker of the House to Hon. Horace T. Armstrong from Jackson County and Hon. J. A. Crook from Bullock County.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and return same herewith to the House:

H. J. R. 9. Relative to landscaping and restoring Ft. Morgan.

Also:

H. J. R. 10. Naming H. J. R. 9.

J. E. SPEIGHT,
Secretary.

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Mr. Miller:

H. 6. To limit the time for assessment and collection of the retail sales tax imposed by law.

By Mr. Miller:

H. 7. To amend Section 766 of Title 51 of the Code of Alabama (1940) relating to the incorrect payment of sales taxes.

By Mr. Evans:

H. 9. To amend Section 7 of Act 1, H. 46, approved May 22, 1945 (General Acts, 1945, p. 4), relating to the State Oil and Gas Board.

By Messrs. Brassell, Thompson (Crenshaw), Evans, Busby, Coburn, Gillis, Black, Broadwater, Dyar, Merrill, Shelton, McDanal, Still, Pinson, Dobbs (Fayette), Hankins, McDonald, Bush, Howell, Ramey, Cox, Benford, Crocker, Roberts, and Cole:

H. 10. To fix and provide for the payment of expenses to be allowed legislators, other than actual expenses of traveling, pursuant to Amendment LVII of the Constitution.

By Messrs. Gibson and Meeks:

H. 13. Relating to the taxation of property owned and used by colleges: To exempt from taxes all property owned and used by colleges for housing students, faculty members or other employees of such colleges, and to exempt property owned by colleges for enlargement of campus or for new campus.

By Mr. Ingalls:

H. 14. Making an additional appropriation to the Department of Examiners of Public Accounts for the fiscal year 1950-51.

By Mr. Ingalls:

H. 15. To provide legal counsel for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this Act.

By Mr. Beck:

H. 22. To amend Section 661 of Title 7 of the Code of Alabama (1940), which relates to the homestead exempted from administration and the payment of debts in favor of the widow and minor child or children; making the amendment retroactive.

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House without recommendation, and they were severally read a second time and placed on the Calendar to-wit:

By Mr. Thompson (Crenshaw) (without recommendation):

H. 4. Relating to legislative representation; making an apportion-

ment of senators and representatives among the several counties; providing for their election; and repealing conflicting laws.

By Mr. Roberts (without recommendation):

H. 8. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one Senator from each County; ordering an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next General Election in November 1950.

The above bill was read a second time at length as required by the Constitution.

By Mr. Adams (Jefferson) (without recommendation):

H. 17. To reapportion the Membership of the House of Representatives among the several Counties of the State.

By Mr. Callahan (without recommendation):

H. 18. To reapportion the Membership of the House of Representatives among the several Counties of the State.

By Mr. Thompson (Crenshaw) (without recommendation):

H. 3. Proposing an amendment to the Constitution of Alabama relating to legislative representation.

The above bill was read a second time at length as required by the Constitution.

By Mr. Coburn (without recommendation):

H. 2. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Mr. Thompson (Crenshaw), Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Messrs. Beatty and Adams (Dale):

H. 20. To authorize the Commissioner of Public Welfare to make or have made photographic reproductions of books, records, papers, or other documents required to be maintained or kept by the Department of Public Welfare or any subdivision thereof; and to authorize the Commissioner to dispose of any such books, records, papers, or other documents so photographed; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the documents themselves, and to provide for the admission as evidenced by duly certified photostatic copies or other copies of the original microfilms, photostats, or other similar photographs; to provide for the repeal of all laws in conflict with this act; and to provide for the severability of the provisions of this act in the event that any part is declared to be null or void; and to provide the effective date of this act.

By Mr. Thompson (Crenshaw):

H. 5. To provide for civil defense: Creating an Office of Civil Defense; providing for a Director of Civil Defense, fixing his compensation, powers and duties; and creating an Advisory Committee to advise and assist the Director.

Mr. Miller, Vice-Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following Bill

and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Mr. Miller:

H. 21. To amend Section 197, Title 52, Code of Alabama 1940, to provide for employees in school building operation, maintenance, or clerical work not connected directly with teaching or supervision of instruction to take their vacations during any time of the year which is convenient to the board of education.

Mr. Thomas, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Mr. Haynes (Franklin):

H. 11. Proposing an amendment to the Constitution of Alabama relative to Franklin County.

The above bill was read a second time at length as required by the Constitution.

By Mr. Haynes (Franklin):

H. 12. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Franklin County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Franklin County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above bill was read a second time at length as required by the Constitution.

By Mr. Weaver:

H. 19. To repeal an act entitled "An Act To withdraw and take away from the Court of County Commissioners of Winston County, Alabama, all jurisdiction over public roads and bridges and public road and bridge funds in said county; to create and establish a Highway Board for said county to be composed of five members, one of whom shall be Chairman, all to be appointed by the Governor of Alabama from the county at large; and to invest said Highway Board with jurisdiction, authority and power over public roads and bridges and over public road and bridge funds in and for said county; to provide for the terms of office and compensation of said members; to provide for a secretary and treasurer of said Board and to fix his compensation; to define the powers, jurisdiction, duties, authority, and responsibilities of said Board and of the Chairman thereof and to regulate purchases made by said Board and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama." approved September 5, 1939, (Act No. 333, H. 815, Mayhall; Local Acts, 1939, pages 221-225); to create and establish a Board of Revenue for Winston County, Alabama, to be composed of five members, one of whom shall be chairman; to invest said Board of Revenue with exclusive jurisdiction, authority, and power over public roads and bridges and over public road and bridge funds in and for said county; to define the powers, jurisdiction, authority, duties, and responsibilities of said Board of Revenue and its

members (including its chairman) to divide Winston County into five civil districts; to provide for the election of one member of said Board of Revenue from each of said civil districts at the general election to be held in November, 1956, and every six years thereafter; to provide for the filling of vacancies in said offices by appointment by the Governor of Alabama; to provide that the members of the Winston County Highway Board as constituted at the time of the passage of this act shall constitute the members of said Board of Revenue until the first Tuesday after the second Monday in January, 1957, and until their successors are elected and qualified; to fix the qualifications of the members and chairman of said Board of Revenue; to fix the term of office of said members at six years, such terms to begin on the first Tuesday after the second Monday in January of the year 1957 and every sixth year thereafter; to fix the compensation of the members and chairman of said board at the same rate which has heretofore been provided for the members of the Winston County Highway Board until the first Tuesday after the second Monday in January, 1951, after which date the compensation of each member, including the chairman, shall be \$225.00 per month; to provide where the members of said Board shall reside during their terms of office; to provide the times when said board shall meet; to provide for a Secretary and Treasurer of said Board to be appointed by said Board, and to define his duties and fix his compensation at the same rate which has heretofore been provided for the Secretary and Treasurer of the Highway Board of said County, until the first Tuesday after the second Monday in January, 1951, after which date such salary shall be \$175.00 per month; to regulate purchase made by said Board of Revenue, and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama.

NOTICE IN WRITING BY MR. GIVHAN

Notice is hereby given that on the next legislative day a motion will be made to take Senate Joint Resolution No. 1 from the adverse calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McDonald (with notice and proof):

H. 23. For the relief of the widow of P. P. Wilson.

Local Legislation.

Notice and Proof H. B. 23:

LEGAL

STATE OF ALABAMA COUNTY OF COOSA

NOTICE is hereby given that at the 1950 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

For the Relief of the Widow of P. P. Wilson.

Be It Enacted by the Legislature of Labama:

Section 1. The governing body of Coosa County is authorized and directed to pay to the widow of P. P. Wilson, late of Sylacauga, Route 2, in Coosa County, the sum of five hundred dollars (\$500) out of any funds of the county not otherwise appropriated as reimbursement for funeral expenses incurred upon the death of her husband who was killed in the course of his employment by the county.

Section 2 This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

7-14c

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the The Enterprise-Chronicle published weekly at Goodwater, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated June 22, 194/ 50, and ending with the issue dated July 13, 194/ 50

J. C. HENDERSON.

Subscribed and sworn before me this 11 day of August 194/50

BILLY B. SELLERS,

Notary Public.

By Mr. McDonald (with notice and proof):

H. 24. For the relief of the next of kin of Eugene Ogburn.

Local Legislation.

Notice and Proof H. B. 24.

LEGAL

STATE OF ALABAMA
COUNTY OF COOSA

Notice is hereby given that at the 1950 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

For the relief of the Next of Kin of Eugene Ogburn.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Coosa County is authorized and directed to pay to the next of kin of Eugene Ogburn, late of Goodwater in Coosa County, the sum of five hundred dollars (\$500) out of any funds of the county not otherwise appropriated as reimbursement for funeral expenses incurred upon the death of Eugene Ogburn who was killed in the course of his employment by the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the The Enterprise-Chronicle published weekly at Goodwater, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated June 22, 1950, and ending with the issue dated July 13, 1950.

J. C. HENDERSON.

Subscribed and sworn before me this 11 day of August 1950

BILLY B. SELLERS,

Notary Public.

SEAL

By Mr. Lovelace and Mr. Bush:

H. 25. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Constitution and Elections.

By Mr. Dobbs (Fayette):

H. 26. Proposing an amendment to the Constitution of Alabama relating to Fayette County, and ordering an election thereon.

Local Legislation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Weaver:

H. 27. To amend Section 9 of Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, pp. 601-607), which relates to absentee voting in primary, general, special and municipal elections.

Constitution and Elections.

STANDING COMMITTEE APPOINTMENTS

The Speaker announced the following Standing Committee appointments:

Hardy, Member Committees on Health and Local Legislation.

Crook, Member Committee on Conservation.

Pfleger, Member Committee on Conservation.

Armstrong, Member Committees on Local Government and Local Legislation.

Thomas, Chairman, Committee on Local Legislation.

Weaver, Vice-Chairman, Committee on Local Legislation.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolutions, to wit;

H. J. R. 9. Relative to the restoration and beautification of Fort Morgan and Fort Morgan Park.

Also:

H. J. R. 10. Relative to naming House Joint Resolution No. 9 the Brannan-Gulledge Resolution.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour

named and that I hold the receipt of the Executive Department for same.
Delivered to the Governor at 11:00 A. M. on August 10, 1950.

H. J. R. 9.

H. J. R. 10.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Givhan the House adjourned until Monday, August 14, 1950, at two o'clock P. M.

THIRD DAY

House of Representatives
Montgomery, Alabama
Monday, August 14, 1950

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Carl May, Pastor, Capitol Heights Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Doughty	Kaul	Richardson
Adams (Dale)	Duffee	Larkins	Roberts
Adams (Jefferson)	Dyar	Leonard	Robinson
Armstrong	Evans	McClendon	Sellers
Beatty	Faulk	McDanal	Shelton
Benford	Ganey	McDonald	Sightler
Black	Garrett	McGowin	Still
Brannan	George	Malone	Stone
Brassell	Gibson	Martin	Taylor (Autauga)
Brown	Gillis	Mathison	Taylor (Hale)
Buckner	Givhan	Meeks	Thagard
Busby	Hankins	Merrill	Thompson (Crenshaw)
Bush	Hardy	Molette	Thompson (Pike)
Callahan	Harris	Morring	Vann
Coburn	Harrison	Nelson	Wallace
Cole	Haynes (Franklin)	Norman	Ward
Cox	Haynes (Lowndes)	O'Neal	Weaver
Crocker	Head	Pflegger	Whitcomb
Crook	Hornsby	Pinkston	White (Perry)
Denton	Ingalls	Pinson	Wood (Bibb)
Dobbs (Fayette)	Inzer	Ramey	

—83

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Second legislative day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Second legislative day was approved.

BILLS ON SECOND READING

Mr. Weaver, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Mr. McDonald:

H. 23. For the relief of the widow of P. P. Wilson.

By Mr. McDonald:

H. 24. For the relief of the next of kin of Eugene Ogburn.

By Mr. Dobbs (Fayette):

H. 26. Proposing an amendment to the Constitution of Alabama relating to Fayette County, and ordering an election thereon.

The above bill was read a second time at length as required by the Constitution.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Coburn (with notice and proof):

H. 28. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

Local Legislation.

Notice and Proof H. B. 28.

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

The Board of Commissioners of the City of Tuscumbia, Alabama, hereby gives notice that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary and corporate limits of the City of Tuscumbia in Colbert County are hereby altered, rearranged and extended so that all of the lands embraced within the following boundaries are within the corporate limits of such municipality:

A tract of land lying and being in Colbert County, State of Alabama in the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ in Section 7, Township 4, South, Range 11, West; and in Section 8, Township 4, South, Range 11, West, the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, and that part lying West of the present city limits of the City of Tuscumbia, Alabama, in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 8, all lying in Colbert County.

The above lands embrace the following subdivisions:

"Valdosta"

"Part of Valdosta, Addition One"

"Part of Resurvey of Lot 220, Valdosta Addition One"

The above lands are more particularly described as follows:

Beginning at the NW corner of the SW $\frac{1}{4}$ of Section 8, Township 4, South, Range 11, West, said point being a point on the existing city limits of the City of Tuscumbia, Alabama; thence South 3 degrees and 14 minutes, East 1318.56 feet to the NE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 7, Township 4, South, Range 11 West; thence South 87 degrees and 21 minutes, West, 2615 feet to the NW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 7; thence South 3 degrees and 14 minutes East 1318.56 feet to the SW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 7; thence North 87 degrees and 21 minutes East 2615 feet to the SE corner of said Section 7; thence North 87 degrees and 21 minutes East 628.49 feet to the center line of Old Lee Highway, being also a point on the present city limits of the City of Tuscumbia, Alabama; thence North 29 degrees and 59 minutes East 3126.38 feet, along the present city limit of the City of Tuscumbia, Alabama; thence South, 87 degrees and 27 minutes West, 2341.35 feet to the point of beinning.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CITY OF TUSCUMBIA, ALA.,

By LURLINE COOK,

City Clerk.

7-20-4tc

STATE OF ALABAMA
COLBERT COUNTY

Before me Lurline H. Cook the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that he is managing editor of the Colbert County Reporter, which is, and has been during the time herein mentioned, a newspaper of general circulation published in Tuscumbia, Colbert County, Alabama, and that certain notice of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 20th and 27th days of July, and on the 3rd and 10th days of August, all in the year 1950.

W. F. MILLER.

Sworn to and subscribed before me, this 11th day of August, 1950.

LURLINE H. COOK,

Notary Public.

By Messrs. Adams (Jefferson) and Harris:

H. 29. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Constitution and Elections.

By Mr. Weaver:

H. 30. To define communists and communist sympathizers and supporters; to provide for and require the registration by communists and communist supporters and sympathizers with the Director of the Department of Public Safety of the State of Alabama and with the several Sheriffs of the State of Alabama; to provide for penalties for the violation of the provisions of this act, and to repeal all laws in conflict herewith.

Judiciary.

By Messrs. Adams (Jefferson) and Harris:

H. 31. To reapportion the Membership of the House of Representatives among the several Counties of the State.

Constitution and Elections.

By Mr. Buckner (with notice and proof):

H. 32. To define, regulate and license barbers and barber colleges, and other like businesses in Cullman County, Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Local Legislation.

Notice and Proof H. B. 32:

LEGAL NOTICE

Notice is hereby given that a local bill will be introduced at the next session of the Legislature which said bill is in words and figures as follows:

A BILL TO BE ENTITLED AN ACT

To define, regulate and license barbers and barber colleges, and other like businesses in Cullman County, Ala.; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. That after the passage of this Act it shall be unlawful for any person, co-partnership, association or corporation to act as a barber, operate a barber college, barber shop or other like business, to advertise or assume to act as such without a license issued by the Barber's Commission of Cullman County, Alabama. No co-partnership, association or corporation shall be granted a license, unless every member or officer of said co-partnership, association or corporation, who actively engages in the barber business, barber college or like business of such co-partnership, association or corporation, shall hold a license as a barber as hereinafter provided for.

Section 2. A barber, barber shop, barber college, or other like business within the meaning of this Act is any person, firm, partnership, co-partnership, association or corporation, who, for a valuable consideration or hire, shaves or trims the beard; gives facial or scalp massages, or treats the same with oils or other preparations, singes, shampoos, cuts or dyes, the hair of a human being or applies hair tonic or other cosmetic preparations, clays or lotions to the scalp, neck, or face, or engages in the teaching of any person or persons in the art of barbering as in this paragraph defined. Provided, however, the provisions of this Act shall not apply to (1) persons engaged in the practice of medicine, surgery or beauty culture, (2) persons actively engaged in the military service of the United States Government while acting in line of duty, (3) registered nurses in the course of their employment as such, (4) persons who render any of said services to members of their immediate families.

Section 3. There is hereby created a Barber's Commission for Cullman County, Alabama. The Governor shall appoint three (3) persons, each of whom immediate- prior to the date of his appointment has been a resident of Cullman County for three (3) years, and who has had at least five years' experience as a barber, one member to be appointed for a term of one year, one member to be appointed for a term of two years, and one member to be appointed for a term of three years, and

until their successors are appointed and qualify, thereafter the term of the members of said Commission shall be for three years, and until their successors are appointed and qualify. Members to fill vacancies shall be appointed and vacancies caused by expiration of the term shall be appointed from time to time as required. The Commission immediately upon the qualification of the member appointed each year, shall organize by selecting from its members a Chairman, and may do all things necessary or convenient for carrying into effect the provisions of this Act. Each member of the Commission shall receive as full compensation for each day actually spent in the work of said Commission his actual and necessary expenses thereby incurred. The Commission shall appoint and at its pleasure discharge, a secretary-treasurer and such assistants as may be deemed necessary to discharge the duties imposed by the provisions of this Act; the treasurer so appointed shall be required to enter into a bond to be approved by the Commission in the sum of not less than Five hundred (\$500.00) Dollars, conditioned to pay any shortage or loss of funds on hand by said Treasurer during his term of office or at the time he is holding office. Said Commission shall outline the duties and fix the compensation of the Treasurer. The Commission shall obtain such office space furnishings, and other proper conveniences as shall be reasonably necessary for carrying out of the provisions of this Act. The Commission shall adopt a seal with such design as it may prescribe engraved thereon, by which it shall authenticate its proceedings. Copies of all records and papers in the office of the Commission duly certified and authenticated by its seal shall be received in evidence in all courts with like effect as the original. All records kept in the office of the Commission under authority of this Act shall be open to public inspection under such rules and regulations as shall be prescribed by the Commission. All fees and charges collected by the Commission under the provisions of this Act, shall be paid into the Treasury of the Commission; said funds shall be used and kept exclusively in the hands of the Treasurer of this Commission, and shall be used under the direction of the Commission, not inconsistent with this Act. Funds may be disbursed by an order of the Commission on a check being drawn by the Treasurer against such funds, as may be on hand, and approved by the Chairman of the Board for the purpose of paying all expenses incurred by the Commission, including the compensation of members and their employees and their assistants and the Treasurer, provided the total expenses for every purpose incurred shall not exceed the total fees and charges collected and paid into the Treasury of this Commission, and all monies remaining in said separate fund at the end of the fiscal year not expended as herein provided, shall become a part of the funds of said Commission and shall be retained by the said Commission, and may be deposited in any bank on Savings Account or otherwise.

Section 4. Licenses shall be granted only to persons of good moral character, who have an elementary school education, or its equivalent in the judgment of the Commission, and shall be at least 18 years of age, and a resident of the State of Alabama for a period of one year immediately prior to his application, and have practiced as an apprentice for a period of at least one year and pass a satisfactory examination conducted by the Commission. Provided, however, any person or persons engaged in the occupation of barbering for a period of less than one year may be licensed as an apprentice barber provided he is 17 years of age, and has an elementary school education or its equivalent in the judgment of the Commission, upon successfully passing said Commission's examination for licensing a barber, as herein set forth.

Section 5. Whenever the masculine gender is used in this Act it is to include the feminine gender. Every applicant for a barber's license, apprentice-barber's license, or for a license to operate a barber shop or barber's college, or other like business shall apply therefor in writing

on blanks prepared or furnished by said Barber's Commission. It shall be accompanied by the recommendation of at least two barbers doing business in the County where said application is made, not related to applicant, certifying that the applicant is of good reputation, is qualified to practice the trade of barbering and recommending that a license be granted. Said application shall be accompanied by the application fee of \$10.00 and a reputable doctor's certificate certifying that said applicant has no communicable or contagious or infectious disease. The Commission shall have authority to call before it and require any barber to have an examination by a reputable doctor to ascertain whether or not he has a communicable, contagious or infectious disease, the Commission shall have authority to revoke his license forthwith. The Commission, after applications in proper form have been filed, shall set the application down for a hearing (before refusing to issue a license) and determination as hereinafter provided in this Act. The Commission shall issue a license in such form as it may prescribe, which shall show the name and address of the licensee and the barber shop or college in which he is employed. The seal of the Commission shall be imprinted on the license, and such other additional matter placed thereon as the Commission may designate. It shall be the duty of each person, co-partnership, association or corporation to conspicuously display his license in his place of business. The Commission shall issue to each licensee a pocket card, on which shall be an imprint of the seal of the Commission certifying that the person whose name appears thereon is a licensed barber or operator of one of the businesses herein named as the case may be. The original fee for each barber's license shall be \$7.50 and the annual renewal fee shall be \$7.50. Each barber shop, barber college or other like business shall pay to the Commission an annual license of \$10.00 per shop or college. The original fee for each person, co-partnership, association or corporation, who operate a barber college shall be \$100.00, in addition to the annual license herein provided. Every license shall expire on the 31st day of December of each year. The Commission shall issue a new license for the ensuing year in the absence of any reason or condition that might warrant the refusal of granting of the license upon the receipt of the written request of the applicant accompanied by the annual fee therefor, as herein required, and accompanied, also, by a certificate of a reputable physician asserting that the applicant then has no contagious, communicable or infectious disease. The Commission may upon its own motion, and shall upon the verified complaint in writing of any three persons making out a prima facie case, investigate the actions of any person hereby affected, and shall have the power to suspend or to revoke any license issued under the provisions of this Act at any time where the licensee has fraudulently obtained the license, or where the licensee in performing or attempting to perform any of the acts mentioned herein is deemed to be guilty of (a) the violation of any state, county or city statute or ordinance pertaining to the operation of the business hereby affected, (b) the violation of any rule or regulation established by the Commission, (c) or who has failed upon request of the Secretary-Treasurer to give evidence and/or proof of the compliance with the same. The Commission shall, before denying an application for license, or before suspending or revoking any license, set the matter down for a hearing, and at least ten days prior to the date set for the hearing, notify the applicant or licensee in writing, which notice shall **contain an exact statement of the charges made, and the date and place of hearing.** The applicant or licensee at all hearings, shall have the opportunity to be heard in person or by counsel or both. Such notice may be served by delivery of the same personally to the applicant or licensee, or by mailing the same by registered mail to the last known business of such applicant or licensee. In preparation and conduct of hearings, the Commission shall have power to require by subpoena the appearance and testimony of witnesses and the production of papers, and any member of the commission may sign subpoenas, administer

oaths, and examine witnesses. The fees and mileage shall be the same as prescribed by law in judicial procedure in the Courts of this State in civil cases. Any party to a hearing shall have the right to the attendance of witnesses in his behalf. In case of disobedience to a subpoena, any member of the Commission may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers, and such court may issue an order requiring the persons to appear before the Commission, and give evidence or produce papers as the case may be, and any failure to obey such order of the Court may be punished by the Court as a contempt thereof. Any person so refusing to appear and give testimony required by such Commission shall be guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction, as provided by the provisions of this Act. If the Commission should determine that any applicant is not qualified to receive a license, or that any license is guilty of a violation of any of the provisions of this Act, a licensee shall not be granted, or the same suspended or revoked as the case may require. Upon request of the applicant or licensee in writing, the Commission shall furnish said party with a definite statement of its findings of facts and its reason or reasons for refusing to grant the license or for its suspension or revocation of same. The findings of the Commission may be appealed to the Circuit Court of the county in which the principal office of the Commission may be located, provided an appeal is taken within 10 days after such final determination of the Commission. Any person desiring to appear under this section shall file with the Commission or some member thereof, a notice in writing that he appeals to the Circuit Court with at least one solvent surety payable to the county in which the principal office of the Commission may be located, conditioned to prosecute such appeal to affect, and upon failure to do so, to pay all costs and damages which may be taxed against him by the Circuit Court on such appeal. Such bond to be approved by the Circuit Clerk of said county, and any cause so appealed shall be tried *do novo* in said Circuit Court. The Commission shall at least every three months hold an examination for the purpose of determining the qualifications of any applicants to become barbers or barber-apprentices, and shall conduct said examinations in accordance with the provisions hereof and in accordance with the rules and regulations promulgated by said Commission not inconsistent with this Act. Said examination to be conducted in the city, town, or village where the principal office of the Commission is located.

Section 6. Any person violating the provisions of this Act shall upon conviction be punished by a fine of not more than five hundred dollars, or by imprisonment for a term not to exceed six months, or by both fine and imprisonment in the discretion of the Court. No person, firm, partnership or corporation shall be deemed to have violated this Act by failure to obtain the license required, prior to January 1, 1951. This provision shall have application to any officer or agent of a corporation, co-partnership, or association operated in violation of this Act. Any court of competent jurisdiction in any of said counties shall have full power to try any violation of this Act, and upon conviction the court may at its discretion revoke the license of the person, co-partnership, association or corporation violating the terms hereof. Before the Commission herein provided for shall receive a commission and enter upon the discharge of their duties each shall take and subscribe the oath provided by law to be taken by elective officers of the State of Alabama.

Section 7. If any section, subsection, sentence, clause, phrase or requirement of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The Legislature hereby declares that it would have passed this Act and each section, sub-section, sentence, clause, phrase and requirements thereof, irrespective of the fact that any one or more sections,

sub-sections, sentences, clauses, phrases or requirements be declared unconstitutional.

Section 8. All laws, or parts of laws, in conflict with this Act be, and the same are hereby repealed.

Section 9. Nothing in this Act contained shall affect the power of the State, County or municipality to tax, license and regulate persons, co-partnerships, associations or corporations, operating barber shops, barber colleges, or other like businesses. The requirements hereof shall be in addition to the requirement of any existing or future law or ordinance of any state, county or municipality so taxing, licensing or regulating persons, co-partnerships, associations or corporations operating barber shops, barber colleges, or other like businesses.

Section 10. This act shall take effect immediately upon its passage and approval by the Governor.

June 8-15-22-29c

THE STATE OF ALABAMA CULLMAN COUNTY

Before me, W. Marvin Scott a N. P. Ex-off J. P. in and for said County and State, personally appeared J. R. Rosson, publisher of The Cullman Democrat, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says, that the notice of which the attached is a true copy, was published in said newspaper, once a week, for four successive weeks and being in the issues of the said newspaper of the following dates, viz June 8-15-22-29, 1950.

J. R. ROSSON,
Publisher.

Sworn to and subscribed before me this the 26 day of July, 1950.

W. MARVIN SCOTT,
N. P. Ex-off J. P.

By Mr. Thagard:

H. 33. To appropriate an additional twenty-five thousand dollars to the Alabama Milk Control Board for the fiscal year ending September 30, 1951.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Norman:

H. R. 11. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

1. The Legislative Reference Service is directed to prepare for publication in pamphlet form the Constitution of Alabama, together with all amendments thereto.

2. The Clerk of the House is directed to have printed as a legislative document twenty-five hundred copies of the Constitution of Alabama and the amendments thereto, which copies shall be distributed by him without charge.

On motion of Mr. Norman the rules were suspended and H. R. 11 was adopted.

Also:

By Mr. Pfleger:

H. J. R. 12. Whereas, the great steel manufacturing industries of Alabama and the extensive coal producing areas of the state are of vital importance to the national defense of this country. And

Whereas, the future efficiency of these great industries as well as other segments of Alabama's commercial, industrial and agricultural life depend on the use of Mobile and supporting transportation facilities. And

Whereas, the Warrior-Tombigbee-Mobile waterway connecting the Birmingham, Bessemer, Fairfield areas via Tuscaloosa and Demopolis with the Port of Mobile is one of the state's most important transportation facilities. And

Whereas, this waterway has been navigated through the use of locks and dams for more than fifty years and although commerce on this waterway is steadily increasing the facilities in many places have become obsolete and are dilapidated. And

Whereas, the United States Congress has authorized the United States Army Engineers to make a preliminary survey of the navigation facilities in this waterway to determine whether or not an extensive survey should be made as to the facilities which would be needed for the complete modernization of this waterway. Now therefore,

Be it resolved by the House of Representatives, the Senate concurring, That the Army Engineers are earnestly requested to undertake the early and complete modernization of the Warrior-Tombigbee-Mobile Waterway connecting central and north Alabama with the Port of Mobile.

On motion of Mr. Pfleger the rules were suspended and H. J. R. 12 was adopted.

NOTICE IN WRITING BY MR. GIVHAN

Notice is hereby given that on the next legislative day a motion will be made to take Senate Joint Resolution No. 1 from the adverse calendar.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution:

H. J. R. 4. Relative to appointing Joint Committee to study reapportionment and report back to Legislature October 3, 1950.

And returns same herewith to the House.

J. E. SPEIGHT.
Secretary.

SENATE MESSAGE

On motion of Mr. McGowin, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 4, said Senate amendment being as follows:

SUBSTITUTE FOR HOUSE JOINT RESOLUTION 4

WHEREAS, the Governor has called another special session of the Legislature to consider reapportionment measures; and

WHEREAS, during the current quadriennium many reapportioning and re-districting measures have been presented to the Legislature in both regular and special sessions; and

WHEREAS, it is apparent that none of these measures were satisfactory in view of the unfavorable actions taken on them by the Legislature;

NOW THEREFORE BE IT RESOLVED by the House of Representatives, the Senate concurring, that a committee of twelve members be appointed—six from the House of Representatives to be appointed by the Speaker of the House and six from the Senate to be appointed by the

Lieutenant Governor to study this subject in all of its aspects and to report its recommendations to the Legislature.

BE IT FURTHER RESOLVED that this joint committee designate one of its members as chairman and that the committee members be paid the usual per diem only for days actually in attendance, and which days shall be certified by the chairman.

BE IT FURTHER RESOLVED that when the two houses adjourn Monday Aug. 14 they adjourn to meet again on Tuesday, October 10th, 1950, at 12 Noon, and during this recess the members, other than those designated in the preceding paragraphs shall receive no compensation.

Yeas 66; Nays 13.

Yeas:

Mr. Speaker	Crook	Head	Norman
Adams (Dale)	Denton	Inzer	O'Neal
Adams (Jefferson)	Dobbs (Fayette)	Kaul	Pinkston
Armstrong	Doughty	Larkins	Richardson
Beatty	Duffee	Leonard	Roberts
Benford	Dyar	McClendon	Sellers
Black	Evans	McDanal	Shelton
Brannan	Faulk	McGowin	Sightler
Brassell	Ganey	Malone	Still
Brown	Garrett	Mathison	Thagard
Buckner	George	Meeks	Thompson (Crenshaw)
Busby	Gibson	Merrill	Thompson (Pike)
Bush	Gillis	Molette	Vann
Coburn	Hankins	Morring	Wallace
Cole	Harris	Nelson	Weaver
Cox	Harrison	Nettles	Wood (Bibb)
Crocker	Haynes (Franklin)		

—66

Nays:

Messrs.:	Haynes (Lowndes)	Pinson	Taylor (Hale)
Callahan	Hornsby	Ramey	Whitcomb
Givhan	Ingalls	Robinson	White (Perry)
Hardy	Martin		

—13

RESOLUTION

The following resolution was introduced:

By Mr. Harris:

H. R. 13. WHEREAS, the Legislature of Alabama is now in special session and has under consideration various proposals for re-apportioning the membership of the House of Representatives, and re-arranging the Senatorial Districts in the State of Alabama, one of which is embodied in House Bill No. 29, a copy of which is attached hereto.

NOW THEREFORE BE IT RESOLVED that the Justices of the Supreme Court of Alabama be, and they are hereby respectfully requested to render to the House of Representatives an advisory opinion advising the House of Representatives whether or not House Bill No. 29, if enacted into law, would violate either Section 284 of the Constitution of Alabama, as amended, or the provision of Section 200 of the Constitution of Alabama to the effect that senatorial districts "shall be as nearly equal to each other in the number of inhabitants as may be", or Section 203 of the Constitution of Alabama.

BE IT FURTHER RESOLVED that, if the House is in recess when the opinion of the Justices is ready to be rendered, the opinion be delivered to the Clerk of the House and that he shall forthwith transmit a copy thereof to each member of the House for consideration during the recess.

A BILL
TO BE ENTITLED
AN ACT

Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of thirty-five (35) senators representing thirty-five (35) senatorial districts. Each district shall be entitled to one senator, and no more.

Section 2. The State is hereby divided, as follows: into thirty-five (35) senatorial districts, which districts are as nearly equal to each other in the number of inhabitants as may be, having regard to the requirements of Article IX of the Constitution of Alabama that no county shall be divided between two districts and that no district shall be made up of two or more counties not contiguous to each other:

First District, the counties of Lauderdale and Limestone; Second District, the counties of Madison and Jackson; Third District, the counties of Lawrence and Morgan; Fourth District, the counties of Colbert and Franklin; Fifth District, the counties of Calhoun and Cleburne; Sixth District, the counties of Marion and Winston; Seventh District, the counties of DeKalb and Cherokee; Eighth District, the counties of Lamar and Pickens; Ninth District, the counties of Fayette and Walker; Tenth District, the counties of Etowah and Marshall; Eleventh District, the counties of Blount and Cullman; Twelfth District, the counties of Saint Clair and Talladega; Thirteenth District, the county of Jefferson; Fourteenth District, the counties of Bibb and Tuscaloosa; Fifteenth District, the counties of Chilton and Shelby; Sixteenth District, the counties of Chambers and Randolph; Seventeenth District, the counties of Clay and Coosa; Eighteenth District, the counties of Macon and Tallapoosa; Nineteenth District, the counties of Lee and Russell; Twentieth District, the county of Mobile; Twenty-first District, the counties of Henry and Houston; Twenty-second District, the counties of Barbour and Bullock; Twenty-third District, the counties of Crenshaw and Pike; Twenty-fourth District, the counties of Coffee and Dale; Twenty-fifth District, the counties of Butler and Lowndes; Twenty-sixth District, the counties of Autauga and Elmore; Twenty-seventh District, the counties of Covington and Geneva; Twenty-eighth District, the counties of Conecuh and Escambia; Twenty-ninth District, the counties of Baldwin and Monroe; Thirtieth District, the counties of Choctaw and Washington; Thirty-first District, the counties of Clarke and Wilcox; Thirty-second District, the counties of Dallas and Perry; Thirty-third District, the counties of Greene and Hale; Thirty-fourth District, the counties of Marengo and Sumter; and the Thirty-fifth District, the county of Montgomery.

Provided, that in districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator.

Section 3. The senators provided for in this Act shall be elected by the qualified electors of the several districts on the first Tuesday after the first Monday in November in the year 1954 and every fourth year thereafter.

Section 4. The provisions of this Act are severable. Should any part be declared invalid, such declaration shall not affect the remainder.

Section 5. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Harris the rules were suspended and H. R. 13 was adopted.

BILLS ON THIRD READING

H. 19. To repeal an act entitled "An Act to withdraw and take away from the Court of County Commissioners of Winston County, Alabama, all jurisdiction over public roads and bridges and public road and bridge funds in said county; to create and establish a Highway Board for said county to be composed of five members, one of whom shall be Chairman, all to be appointed by the Governor of Alabama from the county at large; and to invest said Highway Board with jurisdiction, authority and power over public roads and bridges and over public road and bridge funds in and for said county; to provide for the terms of office and compensation of said members; to provide for a secretary and treasurer of said Board and to fix his compensation; to define the powers, jurisdiction, duties, authority, and responsibilities of said Board and of the Chairman thereof and to regulate purchases made by said Board and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama." approved September 5, 1939, (Act No. 333, H. 815, Mayhall; Local Acts, 1939, pages 221-225); to create and establish a Board of Revenue for Winston County, Alabama, to be composed of five members, one of whom shall be chairman; to invest said Board of Revenue with exclusive jurisdiction, authority, and power over public roads and bridges and over public road and bridge funds in and for said county; to define the powers, jurisdiction, authority, duties, and responsibilities of said Board of Revenue and its members (including its chairman) to divide Winston County into five civil districts; to provide for the election of one member of said Board of Revenue from each of said civil districts at the general election to be held in November, 1956, and every six years thereafter; to provide for the filling of vacancies in said offices by appointment by the Governor of Alabama; to provide that the members of the Winston County Highway Board as constituted at the time of the passage of this act shall constitute the members of said Board of Revenue until the first Tuesday after the second Monday in January, 1957, and until their successors are elected and qualified; to fix the qualifications of the members and chairman of said Board of Revenue; to fix the term of office of said members at six years, such terms to begin on the first Tuesday after the second Monday in January of the year 1957 and every sixth year thereafter; to fix the compensation of the members and chairman of said board at the same rate which has heretofore been provided for the members of the Winston County Highway Board until the first Tuesday after the second Monday in January, 1951, after which date the compensation of each member, including the chairman, shall be \$225.00 per month; to provide where the members of said Board shall reside during their terms of office; to provide the times when said board shall meet; to provide for a Secretary and Treasurer of said Board to be appointed by said Board, and to define his duties and fix his compensation at the same rate which has heretofore been provided for the Secretary and Treasurer of the Highway Board of said County, until the first Tuesday after the second Monday in January, 1951, after which date such salary shall be \$175.00 per month; to regulate purchase made by said Board of Revenue, and to repeal all laws, local and general, in conflict herewith in so far as the same apply to Winston County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Messrs.:	Denton	Larkins	Ramey
Adams (Dale)	Doughty	Leonard	Roberts
Adams (Jefferson)	Duffee	McClendon	Sellers
Armstrong	Dyar	McDonald	Shelton
Benford	Evans	Malone	Sightler
Brannan	Ganey	Mathison	Still
Brassell	Garrett	Merrill	Taylor (Hale)
Busby	George	Molette	Thompson (Crenshaw)
Bush	Gillis	Morring	Thompson (Pike)
Callahan	Hankins	Nelson	Vann
Coburn	Hardy	Nettles	Weaver
Cole	Haynes (Franklin)	Pfleger	Whitcomb
Cox	Haynes (Lowndes)	Pinkston	White (Perry)
Crocker	Hornsby	Pinson	Wood (Bibb)
Crook	Ingalls		

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And the bill:

H. 11. Proposing an amendment to the Constitution of Alabama relative to Franklin County.

Was read a third time at length and lost.

Yeas 52; Nays 1.

Yeas:

Messrs.:	Crook	Larkins	Pfleger
Adams (Dale)	Denton	Leonard	Pinkston
Armstrong	Dobbs (Fayette)	McClendon	Pinson
Benford	Duffee	McDanal	Shelton
Black	Dyar	McDonald	Sightler
Brannan	Evans	Mathison	Still
Brassell	Ganey	Merrill	Thompson (Crenshaw)
Buckner	Garrett	Molette	Thompson (Pike)
Busby	George	Morring	Vann
Callahan	Gillis	Nelson	Wallace
Coburn	Hankins	Nettles	Weaver
Cole	Haynes (Franklin)	Norman	Whitcomb
Cox	Hornsby	O'Neal	White (Perry)
Crocker			

—52

Nays: Mr. Roberts.

—1

MOTION TO RECONSIDER

The motion of Mr. Roberts to reconsider the vote by which the bill, H. 11, was lost, was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Harris:

H. R. 14. WHEREAS, the Legislature of Alabama is now in special session and has under consideration various proposals for re-apportioning the membership of the House of Representatives, and re-arranging the Senatorial Districts in the State of Alabama, one of which is embodied in House Bill No. 31, a copy of which is attached hereto.

NOW, THEREFORE BE IT RESOLVED that the Justices of the Supreme Court of Alabama be, and they are hereby respectfully, requested to render to the House of Representatives an advisory opinion advising the House of Representatives whether or not House Bill No. 31, if en-

acted into law, would violate either Section 284 of the Constitution of Alabama, as amended, or the provision of Section 199 of the Constitution of Alabama, or Section 198 of the Constitution of Alabama.

BE IT FURTHER RESOLVED that, if the House is in recess when the opinion of the Justices is ready to be rendered, the opinion be delivered to the Clerk of the House and that he shall forthwith transmit a copy thereof to each member of the House for consideration during the recess.

A BILL
TO BE ENTITLED
AN ACT

To reapportion the Membership of the House of Representatives among the several Counties of the State.

WHEREAS, each member of the Legislature has taken a solemn oath to support the Constitution of Alabama and to discharge faithfully and honestly the duties of his office;

WHEREAS, Section 198 and 199 of the Constitution of 1901 make it the duty of the Legislature at its first session after the decennial census of 1910 and after each subsequent decennial census to fix by law the number of representatives and apportion them among the several counties of the State, according to population with the proviso that each county shall have at least one representative;

WHEREAS, section 198 of the Constitution of 1901 limits the total number of representatives to 105 with one additional representative for Houston County, which was created as a new county after 1901, making a total maximum of 106 representatives allowed by the Constitution;

WHEREAS, Prior legislatures have failed to perform their constitutional duty to reapportion the members of the House of representatives among the several counties after the 1910 census and again after the 1920 census and again after the 1930 census and again after the 1940 census;

WHEREAS, shifts in population since 1940 make the varying ratios of representation to population even more disproportionate and unfair at this date;

WHEREAS, this disproportionate representation of the several counties in the House of Representatives amounts to taxation without representation; therefore

Be It Enacted by the Legislature of Alabama:

Section 1. The house of representatives shall consist of one hundred and six members apportioned among the several counties of the State, according to the number of inhabitants in them as ascertained by the 1950 federal census, as follows:

County	Population	Number of Representatives
Coosa	11,771	1
Cleburne	11,976	1
Washington	15,612	1
Clay	13,541	1
Winston	18,226	1
Greene	16,463	1
Lamar	16,423	1
Bullock	16,075	1
Cherokee	17,455	1
Bibb	17,955	1
Choctaw	19,189	1
Autauga	18,177	1
Fayette	19,393	1

County	Population	Number of Representatives
Henry	18,661	1
Lowndes	18,034	1
Dale	20,824	1
Crenshaw	19,013	1
Conecuh	21,807	1
Randolph	22,545	1
Hale	20,829	1
Wilcox	23,451	1
Perry	20,442	1
Sumter	23,628	1
St. Clair	26,636	1
Franklin	25,790	1
Clarke	26,533	1
Macon	30,696	1
Pickens	24,386	1
Lawrence	27,141	1
Chilton	26,841	1
Marion	27,285	1
Shelby	30,375	1
Geneva	25,928	1
Monroe	25,732	1
Blount	28,997	1
Escambia	31,463	1
Coffee	30,713	1
Butler	29,299	1
Pike	30,599	1
Barbour	27,347	1
Colbert	39,413	1
Elmore	31,672	1
Tallapoosa	34,666	1
Limestone	35,712	1
Marengo	29,467	1
Jackson	38,795	1
Chambers	39,560	1
Baldwin	41,046	2
Russell	40,469	2
Lee	45,054	2
Marshall	45,098	2
Covington	40,333	2
DeKalb	45,088	2
Houston	46,550	2
Lauderdale	54,813	2
Cullman	49,050	2
Morgan	52,861	2
Dallas	55,992	2
Talladega	63,764	3
Calhoun	79,783	3
Walker	63,652	3
Madison	73,032	3
Etowah	94,173	3
Tuscaloosa	94,017	3
Montgomery	138,129	4
Mobile	227,408	5
Jefferson	554,393	10

(Constitutional Limit) 106

Section 2. The representatives provided for in this Act shall be elected by the qualified electors of the several counties on the first Tuesday after the first Monday in November in the year 1954 and every fourth year thereafter. Except in Jefferson County, the places to be filled shall be designated by numbers and every candidate for a place shall designate in his announcement the number of place for which he is a candidate. The terms of office of representatives shall commence on the day after the general election at which they are elected, and expire on the day after the general election held in the fourth year after their election, except as otherwise provided in the Constitution.

Section 3. Section 1 of Title 32 of the Code of Alabama (1940) and all other laws or parts of laws in conflict with this Act are hereby repealed.

The motion of Mr. Harris to suspend the rules in order to bring up for immediate consideration the resolution, H. R. 14, was adopted.

Yeas 55; Nays 4.

Yeas:

Messrs.:	Cole	Harris	Roberts
Adams (Dale)	Cox	Haynes (Lowndes)	Robinson
Adams (Jefferson)	Crook	Kaul	Sellers
Armstrong	Dobbs (Fayette)	Leonard	Shelton
Beatty	Duffee	McGowin	Sightler
Benford	Dyar	Malone	Still
Black	Evans	Meeks	Taylor (Autauga)
Brannan	Faulk	Merrill	Thagard
Brassell	Ganey	Morring	Thompson (Crenshaw)
Brown	Garrett	Nettles	Thompson (Pike)
Buckner	George	Norman	Vann
Busby	Gibson	O'Neal	Wallace
Bush	Gillis	Pinkston	Weaver
Coburn	Hankins	Richardson	Wood (Bibb)

—55

Nays: Messrs. Crocker, Ingalls, Martin and Pinson

—4

And said resolution, H. R. 14, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House-Joint Resolution and returned same herewith to the House:

H. J. R. 12. Requesting Army Engineers to complete modernization of the Warrior-Tombigbee-Mobile Waterway.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Roberts:

H. J. R. 15. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that H. J. R. No. 4 be named the McGowin-Morring Resolution.

On motion of Mr. Roberts the rules were suspended and H. J. R. 15 was adopted.

BILLS ON THIRD READING RESUMED

H. 14. Making an additional appropriation to the Department of Examiners of Public Accounts for the fiscal year 1950-51.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Faulk	McGowin	Roberts
Adams (Dale)	Ganey	Malone	Robinson
Adams (Jefferson)	Garrett	Martin	Sellers
Armstrong	George	Mathison	Shelton
Beatty	Gibson	Meeks	Sightler
Benford	Gillis	Merrill	Stone
Brannan	Hankins	Molette	Taylor (Autauga)
Brassell	Hardy	Morring	Taylor (Hale)
Brown	Harris	Nelson	Thagard
Busby	Haynes (Lowndes)	Nettles	Thompson (Crenshaw)
Bush	Head	Norman	Thompson (Pike)
Cox	Hornsby	O'Neal	Vann
Crocker	Ingalls	Pfleger	Wallace
Crook	Inzer	Pinkston	Weaver
Denton	Kaul	Pinson	Whitcomb
Dobbs (Fayette)	Leonard	Ramey	White (Perry)
Evans	McDonald	Richardson	Wood (Bibb)

—68

And the bill:

H. 15. To provide legal counsel for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 1.

Yeas:

Mr. Speaker	Ganey	Malone	Robinson
Adams (Dale)	Garrett	Martin	Sellers
Adams (Jefferson)	George	Mathison	Shelton
Beatty	Gibson	Meeks	Sightler
Benford	Gillis	Merrill	Stone
Brannan	Hankins	Molette	Taylor (Autauga)
Brassell	Hardy	Morring	Taylor (Hale)
Brown	Harris	Nelson	Thagard
Busby	Haynes (Lowndes)	Nettles	Thompson (Crenshaw)
Bush	Head	Pfleger	Thompson (Pike)
Coburn	Hornsby	Pinkston	Vann
Crocker	Ingalls	Pinson	Weaver
Dobbs (Fayette)	Kaul	Ramey	Whitcomb
Dyar	Leonard	Richardson	White (Perry)
Evans	McGowin	Roberts	Wood (Bibb)
Faulk			

—61

Nays: Mr. Haynes of Franklin

—1

And the bill:

H. 13. Relating to the taxation of property owned and used by colleges: To exempt from taxes all property owned and used by colleges for housing students, faculty members or other employees of such colleges, and to exempt property owned by colleges for enlargement of campus or for new campus.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crook	Inzer	Roberts
Adams (Dale)	Denton	Kaul	Robinson
Adams (Jefferson)	Dobbs (Fayette)	Leonard	Sellers
Armstrong	Duffee	McDanal	Shelton
Beatty	Dyar	McDonald	Sightler
Benford	Evans	McGowin	Stone
Black	Faulk	Malone	Taylor (Autauga)
Brannan	Garrett	Martin	Taylor (Hale)
Brassell	George	Mathison	Thagard
Brown	Gibson	Meeks	Thompson (Crenshaw)
Busby	Gillis	Molette	Thompson (Pike)
Bush	Hankins	Morring	Vann
Callahan	Hardy	O'Neal	Wallace
Coburn	Harris	Pfleger	Weaver
Cole	Haynes (Lowndes)	Pinkston	Whitcomb
Cox	Head	Pinson	White (Perry)
Crocker	Hornsby	Richardson	Wood (Bibb)

—68

And the bill:

H. 20. To authorize the Commissioner of Public Welfare to make or have made photographic reproductions of books, records, papers, or other documents required to be maintained or kept by the Department of Public Welfare or any subdivision thereof; and to authorize the Commissioner to dispose of any such books, records, papers, or other documents so photographed; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the documents themselves, and to provide for the admission as evidenced by duly certified photostatic copies or other copies of the original microfilms, photostats, or other similar photographs; to provide for the repeal of all laws in conflict with this act; and to provide for the severability of the provisions of this act in the event that any part is declared to be null or void; and to provide the effective date of this act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crocker	Ganey
Adams (Dale)	Brown	Crook	Garrett
Adams (Jefferson)	Busby	Denton	George
Armstrong	Bush	Dobbs (Fayette)	Gibson
Beatty	Callahan	Duffee	Gillis
Benford	Coburn	Dyar	Hankins
Black	Cole	Evans	Harris
Brannan	Cox	Faulk	Haynes (Franklin)

Head	Mathison	Ramey	Thagard
Hornsby	Meeks	Richardson	Thompson (Crenshaw)
Inzer	Merrill	Roberts	Thompson (Pike)
Larkins	Morring	Sellers	Vann
Leonard	Nelson	Shelton	Wallace
McClendon	O'Neal	Sightler	Weaver
McDanal	Pfleger	Still	Whitcomb
McDonald	Pinkston	Taylor (Autauga)	White (Perry)
McGowin	Pinson	Taylor (Hale)	Wood (Bibb)
Malone			

-69

And the bill:

H. 21. To amend Section 197, Title 52, Code of Alabama 1940, to provide for employees in school building operation, maintenance, or clerical work not connected directly with teaching or supervision of instruction to take their vacations during any time of the year which is convenient to the board of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Denton	Leonard	Ramey
Adams (Dale)	Dobbs (Fayette)	McClendon	Richardson
Armstrong	Duffee	McDanal	Roberts
Beatty	Dyar	McDonald	Sellers
Benford	Faulk	McGowin	Shelton
Black	Ganey	Malone	Sightler
Brannan	George	Martin	Still
Brassell	Gibson	Mathison	Taylor (Autauga)
Brown	Gillis	Meeks	Taylor (Hale)
Busby	Hankins	Merrill	Thompson (Crenshaw)
Bush	Hardy	Molette	Thompson (Pike)
Callahan	Haynes (Franklin)	Morring	Vann
Coburn	Haynes (Lowndes)	Nelson	Wallace
Cole	Head	O'Neal	Weaver
Cox	Hornsby	Pfleger	Whitcomb
Crocker	Inzer	Pinkston	White (Perry)
Crook	Larkins	Pinson	Wood (Bibb)

-68

And the bill:

H. 9. To amend Section 7 of Act 1, H. 46, approved May 22, 1945 (General Acts, 1945, p. 4), relating to the State Oil and Gas Board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 2.

Yeas:

Mr. Speaker	Callahan	Dyar	Inzer
Armstrong	Coburn	Evans	Leonard
Beatty	Cole	Faulk	McClendon
Benford	Cox	George	McDanal
Brassell	Crocker	Hankins	McDonald
Brown	Crook	Haynes (Franklin)	McGowin
Busby	Dobbs (Fayette)	Haynes (Lowndes)	Martin
Bush	Duffee	Head	Mathison

Merrill	Roberts	Stone	Wallace
Nelson	Robinson	Taylor (Autauga)	Weaver
Pfleger	Sellers	Taylor (Hale)	Whitcomb
Pinkston	Shelton	Thompson (Crenshaw)	White (Perry)
Pinson	Sightler	Thompson (Pike)	Wood (Bibb)
Ramey	Still		

—54

Nays: Messrs. Brannan and Ingalls.

—2

And the bill:

H. 10. To fix and provide for the payment of expenses to be allowed legislators, other than actual expenses of traveling, pursuant to Amendment LVII of the Constitution.

was taken up.

Mr. Brassell offered the following substitute for the bill, H. 10:

A BILL
TO BE ENTITLED
AN ACT

To fix and provide for the payment of expenses to be allowed legislators, other than actual expenses of traveling, pursuant to Amendment LVII of the Constitution, making the Act retroactive to July 30, 1950.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Legislature shall receive ten dollars per day for expenses other than actual expenses of travel to be paid out of any funds in the State Treasury pursuant to the provisions of Amendment LVII of the Constitution of Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall be prospective in operation and also have retroactive effect to July 30, 1950.

And the substitute was adopted.

Yeas 48; Nays 13.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Martin	Roberts
Armstrong	Dyar	Mathison	Shelton
Benford	Evans	Meeks	Sightler
Brannan	Ganey	Merrill	Still
Brassell	Gillis	Molette	Taylor (Autauga)
Buckner	Hankins	Morring	Thompson (Crenshaw)
Busby	Haynes (Franklin)	Nelson	Thompson (Pike)
Bush	Hornsby	Nettles	Vann
Callahan	Inzer	O'Neal	Weaver
Coburn	Leonard	Pinkston	Whitcomb
Cole	McDanal	Pinson	White (Perry)
Crocker	McDonald	Ramey	Wood (Bibb)

—48

Nays:

Messrs.:	Hardy	Larkins	Sellers
Adams (Dale)	Harrison	McClendon	Taylor (Hale)
George	Haynes (Lowndes)	Malone	Wallace
Givhan	Head		

—13

And the bill, H. 10, as thus amended, was read a third time at length and lost, failing to receive two-thirds of the votes cast.

Yeas 44; Nays 28.

Yeas:

Mr. Speaker	Cole	McDanal	Ramey
Armstrong	Crocker	McDonald	Roberts
Benford	Dobbs (<i>Fayette</i>)	Martin	Shelton
Black	Dyar	Mathison	Sightler
Brannan	Evans	Meeks	Still
Brassell	Ganey	Molette	Taylor (<i>Autauga</i>)
Buckner	Gillis	Morring	Thompson (<i>Crenshaw</i>)
Busby	Hankins	Nelson	Vann
Bush	Haynes (<i>Franklin</i>)	Nettles	Weaver
Callahan	Inzer	O'Neal	Whitcomb
Coburn	Leonard	Pinson	White (<i>Perry</i>)

—44

Nays:

Messrs.:	Givhan	Kaul	Pinkston
Adams (<i>Dale</i>)	Hardy	McClendon	Sellers
Brown	Harris	McGowin	Stone
Crook	Harrison	Malone	Taylor (<i>Hale</i>)
Duffee	Haynes (<i>Lowndes</i>)	Merrill	Thagard
Faulk	Head	Norman	Wallace
George	Ingalls	Pflegler	Wood (<i>Bibb</i>)
Gibson			

—28

MOTION TO RECONSIDER

The motion of Mr. Merrill to reconsider the vote by which the bill, H. 10, was lost, was adopted.

And the bill:

H. 10. To fix and provide for the payment of expenses to be allowed legislators, other than actual expenses of traveling, pursuant to Amendment LVII of the Constitution.

As amended by the substitute, was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 22.

Yeas:

Mr. Speaker	Crocker	McDonald	Roberts
Adams (<i>Jefferson</i>)	Dobbs (<i>Fayette</i>)	Martin	Shelton
Armstrong	Dyar	Mathison	Sightler
Benford	Evans	Meeks	Still
Black	Ganey	Merrill	Taylor (<i>Autauga</i>)
Brannan	Garrett	Molette	Taylor (<i>Hale</i>)
Brassell	Gillis	Morring	Thomas
Buckner	Hankins	Nelson	Thompson (<i>Crenshaw</i>)
Busby	Haynes (<i>Franklin</i>)	Nettles	Thompson (<i>Pike</i>)
Bush	Knight	O'Neal	Vann
Callahan	Larkins	Pinkston	Weaver
Coburn	Leonard	Pinson	Whitcomb
Cole	McDanal	Ramey	White (<i>Perry</i>)
Cox			

—53

Nays:

Messrs.:	Faulk	Haynes (Lowndes)	Pfleger
Adams (Dale)	George	Ingalls	Robinson
Brown	Gibson	Kaul	Stone
Crook	Givhan	McClendon	Wallace
Denton	Harris	Malone	Wood (Bibb)
Duffee	Harrison	Norman	

—22

REPORT OF THE STANDING COMMITTEE ON RULES ON EN-
GROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 4 Relative to appointing a Committee from the House and Senate to study the subject of reapportionment, and report its recommendations to the Legislature on October 10, 1950.

H. J. R. 12. Relative to requesting the Army Engineers to undertake the early and complete modernization of the Warrior-Tombigbee-Mobile Waterway connecting central and North Alabama with the Port of Mobile.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 5. To provide for civil defense: Creating an Office of Civil Defense; providing for a Director of Civil Defense, fixing his compensation, powers and duties; and creating an Advisory Committee to advise and assist the Director.

Was read a third time at length and lost.

Yeas 45; Nays 1.

Yeas:

Mr. Speaker	Cox	Haynes (Lowndes)	O'Neal
Adams (Dale)	Crook	Knight	Pinkston
Armstrong	Dobbs (Fayette)	Larkins	Pinson
Benford	Doughty	McClendon	Ramey
Black	Duffee	McDanal	Roberts
Brannan	Dyar	McDonald	Shelton
Brassell	Evans	Martin	Sightler
Busby	George	Mathison	Thompson (Crenshaw)
Bush	Gillis	Merrill	Wallace
Callahan	Hankins	Nelson	Weaver
Coburn	Haynes (Franklin)	Norman	Wood (Bibb)
Cole			

—45

Nays: Mr. Sellers.

—1

MOTION TO RECONSIDER

Mr. Sellers moved to reconsider the vote by which the bill, H. 5, was lost.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has instructed me to request the House to return to the Senate for further consideration House Joint Resolution 4.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The motion of Mr. McGowin that the Clerk be directed to inform the Senate that the House respectfully refuses to return to the Senate for further consideration H. J. R. 4, was adopted.

Yeas 59; Nays 11.

Yeas:

Mr. Speaker	Cox	Harris	O'Neal
Adams (Dale)	Crook	Haynes (Franklin)	Pinkston
Adams (Jefferson)	Denton	Inzer	Richardson
Armstrong	Dobbs (Fayette)	Kaul	Roberts
Beatty	Doughty	Larkins	Robinson
Benford	Duffee	McClendon	Sellers
Black	Dyar	McDanal	Shelton
Brannan	Evans	McGowin	Sightler
Brassell	Faulk	Malone	Still
Brown	Ganey	Mathison	Thagard
Buckner	Garrett	Meeks	Thompson (Crenshaw)
Busby	George	Merrill	Wallace
Bush	Gibson	Morring	Weaver
Coburn	Gillis	Nettles	Whitcomb
Cole	Hankins	Norman	

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Nays:

Messrs.:	Harrison	Martin	Ramey
Givhan	Haynes (Lowndes)	Molette	Taylor (Hale)
Hardy	Ingalls	Pinson	White (Perry)

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INTERIM COMMITTEE APPOINTED

Pursuant to and in accordance with H. J. R. 4, the Speaker of the House appointed as a Committee on the part of the House Messrs. McGowin, Merrill, Roberts, Garrett, Adams (Jefferson) and Benford.

MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of House Joint Resolution 4, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Allen, Russell, Hardwick, Coleman, Quarles, and Clayton.

J. E. SPEIGHT,
Secretary.

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and

hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:35 P. M. on August 14, 1950.

H. J. R. 4.

H. J. R. 12.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Harris, the House adjourned until Tuesday, October 10, 1950, at twelve o'clock noon.

FOURTH DAY

House of Representatives,
Montgomery, Alabama,
Tuesday, October 10, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Donald C. McGuire, Pastor, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dumas	McClendon	Rogers
Adams (Dale)	Dyar	McDonald	Sadler
Adams (Jefferson)	Evans	McGowin	Sellers
Armstrong	Faulk	Malone	Shelton
Barnett	Ganey	Martin	Shirley
Beatty	Garrett	Mason	Sightler
Benford	George	Mathison	Stewart
Black	Gibson	Meeks	Still
Brannan	Gillis	Merrill	Stone
Brassell	Givhan	Miller	Sullivan
Brown	Hankins	Molette	Taylor (Autauga)
Buckner	Hardy	Morring	Taylor (Hale)
Busby	Harris	Nelson	Thagard
Bush	Haynes (Franklin)	Nettles	Thomas
Callahan	Haynes (Lowndes)	O'Neal	Thompson (Crenshaw)
Coburn	Head	Pflegler	Thompson (Pike)
Cole	Hornsby	Pinkston	Tucker
Cox	Howell	Pinson	Wallace
Crocker	Ingalls	Fruitt	Ward
Crook	Inzer	Ramey	Weaver
Denton	Kaul	Richardson	Whitcomb
Dobbs (Elmore)	Knight	Roberts	White (Covington)
Dobbs (Fayette)	Larkins	Robinson	White (Perry)
Duffee	Lovelace		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Third Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Third Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Third Legislative Day was approved.

LEAVE OF ABSENCE

On motion of Mr. Beck, leave of absence was granted Mr. Wood of Washington.

THE STATE OF ALABAMA
DEPARTMENT OF STATE
CERTIFICATE OF ELECTION

I, Sibyl Pool, Secretary of State, in accordance with the provisions of Section 205 of Title 17 of the Code of Alabama of 1940, do hereby certify as shown by the returns of election on file in this office, the following were elected at the Special Election held in this State on Tuesday, August 8, 1950:

J. A. Crook.....House of Representatives from Bullock County,
Place No. 2
Frank Hardy.....House of Representatives from Dallas County,
Place No. 2
Horace T. Armstrong.....House of Representatives from Jackson
County, Place No. 2
Sydney Pflieger.....House of Representatives from Mobile County,
Place No. 1
C. L. Weathers.....State Senator from the 5th Senatorial District
Thomas A. Johnston, III.....State Senator from 33rd Senatorial
District

WITNESSED MY HAND this the 15th day of August, 1950.

SIBYL POOL,
Secretary of State.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Callahan:

H. J. R. 16. Whereas, Miss Ann Adams, of Tuscaloosa County, Alabama, who is the niece of Representative Jesse B. Adams, of Dale County Alabama, has been chosen the 1951 Alabama Maid of Cotton, and

Whereas, Miss Adams is a lovely and charming young woman and represents a rare combination of brains and beauty and is a credit to the State, and

Whereas, the Legislature wishes to honor Miss Adams, therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. An invitation is hereby cordially extended to Miss Ann Adams to visit the Capitol and the City of Montgomery during the present session

of the Legislature, and the privileges of the floor of both houses of the Legislature are extended to her.

2. The Clerk of the House of Representatives is directed to transmit a copy of this Resolution to Miss Adams and to release a copy of it to the press.

On motion of Mr. Callahan the rules were suspended and H. J. R. 16 was adopted.

Also:

By Messrs. Beck and Harris:

H. J. R. 17. Authorizing and directing the Clerk of the House of Representatives and the Secretary of the Senate to negotiate for, acquire, and supervise the installation of air conditioning on the second floor of the State Capitol building adjacent to the House and Senate Chambers, excluding the second floor of the North Wing and the second floor of the South Wing of the Capitol building.

Be it Resolved by the House of Representatives, the Senate concurring:

1. The Clerk of the House of Representatives and the Secretary of the Senate are authorized and directed to negotiate for, acquire, and supervise the installation of glass doors and the installation of air conditioning on the second floor of the State Capitol building including the offices located on said second floor in the East wing of the Capitol building adjacent to the House and Senate Chambers, excluding the second floor of the North Wing and the second floor of the South Wing of the Capitol building.

2. Payment for the acquisition and installation of such air conditioning system or systems shall be made from the funds to the credit of the Legislature.

H. J. R. 17 was read and referred to the Standing Committee on Rules.

REPORT OF THE JOINT RECESS COMMITTEE TO STUDY REAPPORTIONMENT

October 7, 1950

LETTER OF TRANSMITTAL

October 7, 1950

Lieutenant-Governor J. C. Inzer
President of the Senate
Montgomery, Alabama

Honorable W. M. Beck
Speaker of the House
Montgomery, Alabama

Sirs:

I am transmitting to you the report of the Committee named by you to study reapportionment in Alabama.

The recommendations made are endorsed by a majority of the Committee.

Three members of the Committee could not endorse the recommendations and their views are attached as a separate report.

While agreeing with the majority, Representative Merrill felt a further avenue was open and has asked that his views be made an additional part of the report.

The Legislative Reference Service has provided valuable assistance which the Committee wishes to acknowledge.

A copy of this report has been furnished to each member of the Legislature.

Yours very truly,
EARL M. MCGOWIN,
Chairman.

H. J. R. 4

By Mr. McGowin

WHEREAS, the Governor has called another special session of the Legislature to consider reapportionment measures; and

WHEREAS, during the current quadrennium many reapportioning and redistricting measures have been presented to the Legislature in both regular and special sessions; and

WHEREAS, it is apparent that none of these measures were satisfactory in view of the unfavorable actions taken on them by the Legislature;

NOW THEREFORE BE IT RESOLVED by the House of Representatives, the Senate concurring, that a committee of twelve members be appointed—six from the House of Representatives to be appointed by the Speaker of the House and six from the Senate to be appointed by the Lieutenant Governor to study this subject in all of its aspects and to report its recommendations to the Legislature.

BE IT FURTHER RESOLVED that this joint committee designate one of its members as chairman and that the committee members be paid the usual per diem only for days actually in attendance, and which days shall be certified by the chairman.

BE IT FURTHER RESOLVED that when the two houses adjourn Monday, August 14th, they adjourn to meet again on Tuesday, October 10th, 1950, at 12 Noon, and during this recess the members, other than those designated in the preceding paragraphs shall receive no compensation.

Approved August 14, 1950.

Time 4:45 P. M.

REPORT OF THE JOINT RECESS COMMITTEE TO STUDY REAPPORTIONMENT

Following the adoption of H.J.R. 4, the Lieutenant Governor appointed James B. Allen, Preston C. Clayton, James S. Coleman Jr., W. G. Hardwick, George P. Quarles, and Noble J. Russell as members of the Committee on the part of the Senate, and the Speaker of the House appointed James G. Adams Jr., J. J. Benford, W. W. Garrett, Earl M. McGowin, Pelham J. Merrill, and E. L. Roberts as members of the Committee on the part of the House.

The Committee held its first meeting on August 14, 1950, the day on which the resolution was adopted, for the purpose of organization. Mr. McGowin was selected by the Committee to serve as Chairman, and Senator Hardwick was chosen Vice-chairman. The Director of the Legislative Reference Service was named Secretary to the Committee.

Further meetings were held on September 7, 8, 16, 17, 28 and 29. The attendance at these meetings was uniformly good.

The Committee adopted procedures which it believed best calculated to carry out its functions and requested the Legislative Reference Service to compile all available data, not only with respect to reapportionment in Alabama, but also in the other States of the Union, and the Federal Congress. This revealed that Alabama is not the only State

in which there is a lag in reapportionment. Legislative reapportionment is a chronic problem. The Federal Congress failed to reapportion the House of Representatives after the 1920 census. Apportionment cannot be deemed current in any State except Massachusetts, which was reapportioned in 1948; in Texas which was redistricted within the last two years; in the few states where reapportionment is automatic; and in Georgia and Missouri where new Constitutions were adopted in 1945. Nevertheless the Committee feels that inaction by other states does not excuse the Alabama Legislature in continuing to ignore the clear mandate of our Constitution.

All meetings of the Committee were open to the press and public. It is worthy of note that although this is believed to be the first study of reapportionment problems made by a joint legislative committee created expressly for that purpose since the present Constitution was adopted, no person requested an opportunity to appear before the Committee to advocate or oppose any reapportionment plan, nor did the Committee receive a single communication which indicated that there exists a widespread public demand for reapportionment.

The Supreme Court was in recess during the period the Committee was working and it was considered doubtful whether the Justices could respond to the House and Senate requests for opinions on pending reapportionment bills. The Committee therefore proceeded with its deliberations on the assumption that no further advice from the Justices would be available to it and took the position that any reapportionment bill based on population which the Legislature might pass will be valid if it is reasonable and does not show plainly a gross abuse of legislative discretion.

Three approaches to reapportionment were considered by the Committee.

FIRST. A redistribution of the House seats by statute, in accordance with Article IX of the Constitution, and a redistricting of the State into senatorial districts, also in accordance with Article IX.

SECOND. Such changes in the constitutional provisions governing legislative representation by constitutional amendment as appeared to be feasible or desirable, provided they did not have the effect of changing the basis of representation in the Legislature to other than a population basis.

THIRD. A constitutional convention to change the basis of representation to other than a population basis.

The Committee is of the opinion that reapportionment should by brought about by statute, and that no constitutional changes or convention be recommended. There are several obvious reasons for this approach. This is the method contemplated by our Constitution. It is a simple and direct route. It is inexpensive and immediate. It requires no basic changes in the size of the Legislature or in the territorial units employed for the election of senators and representatives.

In seeking to draft a bill the Committee was compelled to act within the limitations prescribed by the Constitution and the opinions of the Justices construing the pertinent provisions thereof. The Constitution requires that any reapportionment be based on population and yet paradoxically provides that each county must have at least one representative, and that no county may have over one senator. The Justices have held that any reapportionment measure passed prior to the promulgation of the official 1950 census must be based on the 1940 census figures.* The Committee is advised that the 1950 figures will not be made official until the early part of 1951. (See Appendix A).

*In re Opinions of the Justices, August 1950, MSS.

After consideration of various statutory plans the Committee concluded that the bills on reapportionment introduced in this and previous sessions of the Legislature by Representative Adams of Jefferson County offer the most practical basis for solution of the problem.

The Committee makes the following recommendations:

REDISTRICTING OF SENATE:

Being mindful of the fact that the Constitution requires that "No county shall be divided between two districts, and no district shall be made up of two or more counties not contiguous to each other," and that "districts shall be as nearly equal to each other in the number of inhabitants as may be," it was apparent to the Committee that the Constitution does not contemplate that the Senate be redistricted on a population basis with the same exactitude as the House. We therefore recommend a continuation of the present thirty-five member Senate and a redistricting of the state on the following basis: That the three largest counties shall each constitute a senatorial district. The remaining 64 counties shall be divided into 32 two-county districts, the senator to be elected first from one county and then the other by the voters of both counties, beginning in 1954 with the largest county in the district, except where that county had the last senator. Under this plan no county will be without a senator for more than four consecutive years, and no county will be forced to share its senator with more than one other county.

The Committee recommends the following arrangement of counties into senatorial districts, which arrangement joins wherever possible counties with close political ties and relationships:

1st	10th	19th	28th
Lauderdale	Etowah	Lee	Conecuh
Limestone	Cherokee	Russell	Escambia
2nd	11th	20th	29th
Madison	Blount	Mobile	Baldwin
Jackson	Cullman		Monroe
3rd	12th	21st	30th
Lawrence	St. Clair	Henry	Choctaw
Morgan	Talladega	Houston	Washington
4th	13th	22nd	31st
Colbert	Jefferson	Barbour	Clarke
Franklin		Bullock	Wilcox
5th	14th	23rd	32nd
Calhoun	Bibb	Crenshaw	Dallas
Cleburne	Tuscaloosa	Pike	Perry
6th	15th	24th	33rd
Marion	Chilton	Coffee	Greene
Winston	Shelby	Dale	Hale
7th	16th	25th	34th
Marshall	Chambers	Butler	Marengo
DeKalb	Randolph	Lowndes	Sumter
8th	17th	26th	35th
Lamar	Clay	Autauga	Montgomery
Pickens	Coosa	Elmore	
9th	18th	27th	
Fayette	Macon	Covington	
Walker	Tallapoosa	Geneva	

It is felt by the Committee that this arrangement will attain the same result irrespective of whether the 1940 or the 1950 census figures are used. It will thus be possible for the present Legislature to pass a

bill redistricting the State in the manner hereinabove outlined without the necessity of waiting for the promulgation of the official 1950 census figures. However, the Committee feels that the over-all solution of the reapportionment problem would be better served if the Senate is redistricted and the House reapportioned at the same time.

REAPPORTIONMENT OF THE HOUSE OF REPRESENTATIVES:

The Committee recommends that the present membership of 106 in the House of Representatives be maintained. In order to comply with the constitutional limitations and requirements regarding reapportionment we recommend that a bracket system be employed which will give to any county in a given population range equal representation with all other counties in that range.

Immediately the question arises whether this suggested bracket system be applied to the 1940 or to the 1950 census figures. As has been pointed out, the official 1950 census figures will not be available until early next year, and if the present Legislature is to reapportion the House on the suggested bracket basis it must necessarily do so on the basis of the 1940 census. Our studies reveal that if the present Legislature desires to reapportion on the basis of the 1940 figures a bracket system substantially as follows would be the best method of achieving the desired result: 1) Counties of under 36,000 population to receive one representative, 2) Counties of a population from 36,000 to 55,000 to receive two representatives, 3) Counties of a population of more than 55,000 and not more than 110,000 to receive three representatives, 4) Counties of a population of more than 110,000 and not more than 140,000 to receive four representatives, 5) Counties of a population of more than 140,000 and not more than 450,000 to receive five representatives, and 6) Counties of a population of more than 450,000 to receive ten representatives. The result of applying these categories is that forty-seven counties are given one representative, eleven counties are given two representatives, six counties are given three representatives, one county is given four representatives, one county is given five representatives and one county is given ten representatives.

The 1950 population estimates indicate that there have been numerous shifts in population among the various counties during the past decade and the use of the 1940 figures will not meet the current situation. Furthermore, the Constitution requires that: "It shall be the duty of the legislature at its first session after . . . each . . . decennial census, to fix by law the number of representatives, and apportion them among the several counties of the state, according to the number of inhabitants in them respectively." This would require that the 1951 Legislature again reapportion the House even if the present Legislature should reapportion on the basis of the 1940 census.

It is not within the power of the present Legislature to take into account the population shifts which have already taken place in the past decade, as it is obvious the official 1950 census figures will not be available to this Legislature. Moreover, in no event can any reapportionment become effective before 1954.

If action is delayed until after the 1950 census has been promulgated, and assuming that the present population estimates will be substantially confirmed by the official figures, the Committee recommends the following bracket classifications: 1) Counties of under 40,000 population to receive one representative, 2) Counties of a population from 40,000 to 60,000 to receive two representatives, 3) Counties of a population of more than 60,000 but not more than 130,000 to receive three representatives, 4) Counties of a population of more than 130,000 but not more than 225,000 to receive four representatives, 5) Counties of a population of more than 225,000 but not more than 500,000 to receive five repre-

sentatives, and 6) Counties of a population over 500,000 to receive ten representatives.

As a result of these classifications forty-seven counties are given one representative, eleven counties are given two representatives, six counties are given three representatives, one county is given four representatives, one is given five, and one is given ten.

Under this plan the small number of persons represented by one representative would be 11,771 in Coosa County. In Jefferson County each representative would represent 55,418 people. This is the largest number of people that would be represented by one representative. The next largest number of people per representative would be 45,767 in Mobile County, 39,560 in Chambers County and 39,413 in Colbert County. The smallest number of people per representative in any county with more than one representative would be 20,144 in Russell County. At the present time the number of people per representative ranges from 8,037 in Bullock to 76,278 in Mobile and 79,169 in Jefferson.

The average number of people per representative on the basis of all counties would be 28,799. The average number of people per representative in the counties with more than one representative would be 32,274, whereas the average number in only those counties with two and three representatives would be 24,592. The average number of people per representative in counties having only one representative would be 24,437.

Finally, it is interesting to note the relationship between a county's share of the total population of the State and its share of representation in the House. Jefferson, the largest county, has 18.15% of the State's total population and if given ten representatives it would have 9.43% of the total representation in the House. The smallest county, Coosa, has .38% of the State's total population and if given one representation it would have .94% of the total representation in the House.

The bracket system suggested herein provides for a single apportionment and is not designed as an automatic reapportionment device for use after succeeding decennial censuses. It is obvious that future population changes might necessitate the use of an entirely different bracket system in order to maintain the present membership of the House.

Respectfully submitted:

JAMES G. ADAMS, JR.
JAMES B. ALLEN
J. J. BENFORD
W. W. GARRETT
W. G. HARDWICK
EARL M. MCGOWIN
E. L. ROBERTS
NOBLE J. RUSSELL

MINORITY REPORT

The undersigned members of the Joint Committee appointed under H. J. R. 4, approved August 14th, 1950, are unable to concur in the opinion and recommendations of the majority, and therefore feel compelled to set down for whatever it might be worth, the reasons for their dissent.

Argument is made that certain counties are deprived of representation in the Legislature under the present distribution of House and Senate seats. Actually, no county has been deprived of representation. All counties have exactly the same representation which they had in 1901, except Houston and Henry counties. The area in these two counties has gained in representation, and now has three House seats. In 1901 this area had only two House seats.

It is significant that not a single person has appeared before the Joint Committee at any meeting to argue for or against a redistribution of House or Senate seats. Our information is that no person requested to appear. This fact argues that there is no great desire for redistribution of seats; in fact, it indicates there is little interest in the matter; and certainly that no emergency exists in this regard.

Argument is made for equality of representation. Exactly equal representation can be achieved in one way alone. That would be to elect all Representatives and all Senators from the State at large. In that way every elector's vote would be given exactly equal weight. Nobody proposes that this method be adopted. Under any other method there could not be absolute equality of representation.

The vital political principle which requires districting of a State for the purpose of electing members of the Legislature is recommended by the wisdom and justice of giving, as far as possible, to the local subdivisions of the people a due influence in the choice of representatives, so as not to leave the aggregate minority of the people, perhaps approaching a majority, to be wholly overpowered by the combined action of the numerical majority, without any effective voice whatever in the legislative councils.

The peculiar glory of constitutional government in the United States and in Alabama is not, as is so often mistakenly supposed, the principle of majority rule. In any government by freely elected officers the majority is going to rule and impose its will, except where its power is limited to protect a minority. In the limitation of the power of the majority, and in the protection of the minority who dare to be different, lies the peculiar glory of constitutional government as it has thus far endured in America. When the protection of those who dare to disagree is removed, then we will be no longer a free people. The only choice will be to vote "Ja."

In Alabama, in the light of history, and in the light of contemporary manifestations by a certain majority of the people of these United States to impose on the Southern States alien and distasteful practices and procedures, it would ill become the Legislature of a sovereign State to ignore or diminish the salutary protections existing for the minority of its own people.

A study of legislative representation in other States reveals that the same problem exists in substantially all the other States. In nearly all States during the last fifty years people have left the country and moved to the city. That has happened in Alabama. The result is, not that metropolitan counties have lost representation in the legislature, but that rural counties have lost all effective voice in state-wide elections. Urban counties have gained overwhelming control in the election of State officers, including the Chief Executive.

Rural counties, losing population, have lost all effective voice in the executive branch of the government. The only branch where rural counties still have an effective voice is the legislative branch.

The change in the economy and in the distribution of population within the four or five decades immediately past is a new thing. It is not the natural continuation of a process hitherto normal in the growth and development of a country. It is the result of the industrial revolution.

Rural counties greatly fear to become voiceless in the State government. In some measure this fear is shared by metropolitan residents who formerly lived, or whose parents lived, in rural communities.

The rule of a State by great population in large cities is new and untried in this State and in this nation. That is the reason the problem of reapportionment exists throughout the United States.

The situation is not static. The population of a great city is unstable in the sense that it is constantly changing. Many people are continually moving from one city to another, from one State to another, not acquiring that sense of belonging to a community or a State as is acquired and felt by people living in rural areas, where their parents and grandparents lived before them, and where they expect their children and grand-children to live after them.

It is this instability of great cities which causes rural communities to be afraid to deliver absolute domination of State government to metropolitan counties. This fear is acknowledged and recognized in the proposal of the majority of the Joint Committee. The majority recommends that the largest county in this State be given only ten House seats. By any mathematical method without an arbitrary ceiling, this county would be given fourteen to seventeen House seats. The majority proposal, with this limit of ten seats to any county, does not, we submit, "apportion" the number of representatives "among the several counties of the State, according to the number of inhabitants in them respectively." Constitution of 1901, Section 199.

The majority recommendation for redistricting for the Senate is an arbitrary grouping of counties, and is not, we submit, a proposal which will "divide the state into as many senatorial districts as there are senators, which districts shall be as nearly equal to each other in the number of inhabitants as may be." Constitution of 1901, Section 200.

A number of other plans are set out in the study prepared for the Joint Committee by the Legislative Reference Service. All these plans set out districts far more nearly equal in population. See Pages 49-58 of said compilation.

These considerations aptly indicate the complexity of the problem. The study of the Joint Committee and the report of the majority indicate that the solution will not be found in mere application of mathematical formulae or political horse trading.

A fundamental consideration has been injected into the problem by the industrial revolution and resulting population upheavals. The problem will not be easily solved by ignoring a fundamental consideration.

Some 21 counties in Alabama made substantial gains in population during the period from 1940 to 1950. Three counties gained a few hundred people. The remaining 43 counties lost. A trend is indicated. Distributing the seats in the Legislature according to the number of inhabitants in the counties, respectively, will, if this indicated trend continues, ultimately result in the 46 small counties having one representative each. Twenty-one large counties, or less, will have acquired absolute domination of the Legislature. When that occurs, the small counties will have lost all effective voice in both the executive and legislative departments of state government.

Reverting again to the principle of minority protection, it is reasonable to argue that if protection is to be lost in one policy making branch of government, then some way ought to be found to balance that loss by protection in the other policy making branch, that is, the executive department.

One method which suggests itself is the adoption of the county unit system of nominating state officers. The county unit system has been basic in Georgia since its first constitution in 1777. The method is simple. In spite of criticism directed towards it by those who ignore the principle of minority protection, the method is much the same as that used to elect the President of the United States. It simply provides that each county shall have two unit votes for each member that county has in the House of Representatives. The candidate who receives the largest number of popular votes in a county receives that county's entire

unit vote. The candidate receiving the state-wide majority of unit votes is declared the nominee.

Such a system in Alabama would give each county a unit vote in proportion to its representation in the House of Representatives. If the small counties are to lose their protection in the Legislature, the county unit system would provide some measure of protection in the election of Governor. On the fundamentals involved, we submit, it merits serious consideration.

In view of the Supreme Court's ruling that action by this Legislature must be based on 1940 census figures, it appears logical that any action whatever on a redistribution of seats would more properly come in 1951, when the official 1950 census figures are available.

Being unwilling, for the reasons we have attempted to set out, to join in the majority report of the Joint Committee, we respectfully submit to the Legislature this report and recommendation in accordance with the Joint Resolution of August 14th, 1950.

Respectfully submitted:

PRESTON C. CLAYTON
JAMES S. COLEMAN, JR.
GEORGE P. QUARLES

REPORT OF REPRESENTATIVE PELHAM J. MERRILL

The report of the Committee majority probably represents the most practical approach to the reapportionment problem if immediate consideration and relief are the prime governing motives. However, the Committee was authorized to study the problem of reapportionment in all its aspects and the following is submitted for consideration of this and future legislatures. Many reasons could be given but the object of this report is merely to present a few propositions for consideration and discussion.

1. Apportionment of representation in both houses of the legislature according to population is not in the best interests of government. The National plan, viz: representation by population in one house and geographical or political unit basis in the other house, would better serve the whole State of Alabama.

2. It is suggested that representation on a geographical or political unit basis be applied to the Senate. The inequalities of representation in the Senate at the present time exceed those of the House of Representatives. It is now mathematically possible for 18 Senators, a majority, representing only 27 counties and less than a million people to control absolutely legislation of this State, as opposed to the wishes of 17 Senators representing 40 counties and over two million of population. (1950 tentative census).

3. To accomplish the above requires either a constitutional convention or an amendment to the Constitution. Some attorneys contend that the recent advisory opinion of the Supreme Court limits the legislature and the people of Alabama to a constitutional convention under the last sentence of Section 284 of the Constitution, maintaining that that portion of Section 284 is not susceptible to amendment. However, the opinion of the Supreme Court in *Downs vs. City of Birmingham*, 198 So. 231, 240 Ala. 177, seems to hold that any section of the Constitution may be amended so long as the Constitution of the United States is not violated.

In view of the above, it is recommended:

(a) That a Constitutional amendment be submitted for ratification amending Section 284, either deleting the last sentence of said Section or rewording it to permit one house of the legislature to be apportioned on other than a population basis.

(b) That the Senate be the legislative body exempted from a membership based exclusively on population.

(c) That a Constitutional amendment be submitted to the people providing a Senate based on a geographical or political unit basis.

Respectfully submitted:

PELHAM J. MERRILL

APPENDIX A

DEPARTMENT OF COMMERCE

Bureau of the Census
Washington 25

August 7, 1950.

Honorable James E. Folsom
Governor, State of Alabama
Montgomery, Alabama

My dear Governor Folsom:

In accordance with your telegraphic request of August 15, there is enclosed a press release to which an official certificate has been attached, giving the population of the State of Alabama, by counties, according to the preliminary count of the 1950 Census returns. These figures are subject to revision when the final counts are completed early next year.

The law requires that a charge of \$1.00 be made for certificates issued under the seal of the Department of Commerce. If you have need for a certificate under seal, please send to this Bureau with your request a certified check or money order for that amount made payable to the Treasurer of the United States.

We do not yet have statistics by race and age for States or counties for 1950. Preliminary data of this kind for the State as a whole should be available early in 1951, and complete statistics for States, counties, and cities will be ready for release late next year or early in 1952.

Sincerely yours,

ROY V. PEEL,
Director,
Bureau of the Census.

BILLS ON SECOND READING

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Mr. Thagard:

H. 33. To appropriate an additional twenty-five thousand dollars to the Alabama Milk Control Board for the fiscal year ending September 30, 1951.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Wallace, Adams (Dale), Merrill, White (Perry), Martin, Lovelace, Thomas, and Brassell:

H. 34. To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor.

Local Government.

By Mr. Wallace:

H. 35. To provide for educational benefits to children and widows of deceased veterans; to provide for educational benefits for the children, wives and veterans who are suffering from a 40% or more service-connected disability; and to provide for correspondence and extension courses for veterans.

Education.

By Mr. Wallace:

H. 36. To create the State Medical Education Board; to prescribe its duties; and to provide for loans and scholarships to students desiring to study medicine.

Education.

By Mr. Wallace:

H. 37. To propose an amendment to the Constitution of Alabama.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Wallace:

H. 38. Proposing an amendment to Article VIII, Section 181 of the Constitution of Alabama, as amended, which relates to suffrage and elections; ordering a special election thereon and providing for the payment of expenses of holding the election.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Wallace:

H. 39. To levy a tax of two percent (2%) upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board; providing for the manner of collection and the use of the proceeds thereof.

Ways and Means.

By Messrs. Taylor (Autauga), Shirley, Martin, Head, Inzer, Miller and Meeks:

H. 40. To provide a continuous, coordinated, and integrated system of corrections: creating the State Department of Corrections and abolishing the existing Department of Corrections and Institutions; establishing within the new department the State Board of Corrections and the office of Commissioner of Corrections; providing for a study of the juvenile court system and the reformatories and training schools of the State.

State Administration.

By Mr. Benford:

H. 41. To make an appropriation to the State Markets Board for the enlargement expansion and improvement of the regional poultry marketing facility at Albertville.

Agriculture.

By Mr. Benford:

H. 42. To repeal Act No. 263, S. 403, approved July 22, 1949 (Acts of Alabama, 1949, page 388), entitled "An Act To prohibit any person who carries mail under a contract with the United States from carrying passengers; to apply in and only in counties having a population of not less than 36,500 nor more than 42,400 inhabitants according to the most recent federal census."

Judiciary.

By Mr. Evans (with notice and proof):

H. 43. To alter, rearrange and extend the boundary lines of the Town of Butler, in Choctaw County, Alabama.

Local Legislation.

Notice and Proof H. B. 43:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines of the Town of Butler, in Choctaw County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the Town of Butler, in Choctaw County, Alabama, are altered, rearranged and extended to include within the corporate limits of the Town the lands described as follows:

The West Half ($W\frac{1}{2}$) of Section 17, and the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) Section 17; the South half ($\frac{1}{2}$) of Section 18; the Northeast Quarter ($NE\frac{1}{4}$) of Section 18, and the East Half ($E\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section 18; the entire Section 19; the West Half ($W\frac{1}{2}$) of Section 20, and the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 20; Fractions A, B, and G of Section 30; All in Township 13 North Range 2 West of St. Stephens Meridian; the Southeast Quarter ($SE\frac{1}{4}$) of Section 13, and the East Half ($E\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section 13; the East half ($E\frac{1}{2}$) of Section 24; the East half ($E\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section 24; the Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section 24; all in Township 13 North Range 3 West of St. Stephens Meridian, in Choctaw County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Section 3. That this Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said county in said State, this day personally appeared Matt L. Blount, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 14, Sept. 21, Sept. 28, and Oct. 5, all in the year 1950.

MATT L. BLOUNT.

Sworn to and subscribed before me October 9, 1950.

BEATRICE LANIER,
Notary Public.

By Mr. Evans (with notice and proof):

H. 44. Relating to Choctaw County: Levying a privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters, or from beneath the soil or waters, of Choctaw County; to require all parties engaged in severing such natural resources to keep and maintain full and complete records of the severance of such resources; to prescribe the method of collecting and enforcing the payment of such tax; to provide for the distribution of the taxes collected; to provide for penalties and punishment and for restraining orders for the violation of the terms and provisions of this Act.

Local Legislation.

Notice and Proof H. B. 44:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Choctaw County: Levying a privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters, or from beneath the soil or waters, of Choctaw County; to require all parties engaged in severing such natural resources to keep and maintain full and complete records of the severance of such resources; to prescribe the method of collecting and enforcing the payment of such tax; to provide for the distribution of the taxes collected; to provide for penalties and punishment and for restraining orders for the violation of the terms and provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The word "Collector" means the Tax Collector of Choctaw County. (b) The word "annual" means the calendar year, or the taxpayer's fiscal year, when permission is obtained from the Collector to use a fiscal year as a tax period in lieu of a calendar year. (c) The word "value" means the sale price or market value at the mouth of the well. If the oil or gas is exchanged for something other than cash, or if there is no sale at the time of severance, or if the relation between the buyer and the seller is such that the consideration paid, if any, is not indicative of the true value or market price, then the Collector shall determine the value of the oil or gas subject to the tax hereinafter provided for, considering the sale price for cash of oil or gas of like quality. (d) The word "oil" means crude petroleum oil and other hydrocarbons regardless of gravity, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the well. (e) The word "gas" means all natural gas, including casinghead gas, and all other hydrocarbons not defined as oil in sub-section (d) above. (f) The word "severed" means the extraction or withdrawing from the soil or water or from below the surface of the soil or water of any oil or gas, whether such extraction or withdrawal shall be by natural flow, mechanically enforced flow, pumping, or any other means employed to get the oil or gas from the soil or water or from below the surface of the soil or water. (g) The word "person" means any natural person, firm, copartnership, joint venture, association, corporation, estate, trust, any other group or combination acting as a unit, and the plural as well as the singular number. (h) The word "producer"

means any person engaging or continuing in the business of oil or gas production, which, for the purpose of this Act, includes the owning, controlling, managing, or leasing any oil or gas property or oil or gas well; and producing in any manner any oil or gas by taking it from the soil or waters, or from beneath the soil or waters, of Choctaw County, and further includes receiving money or other valuable consideration as royalty or rental for oil or gas produced or because of oil or gas produced, whether produced by him or by some other person on his behalf, either by lease, contract, or otherwise, and whether the royalty consists of a portion of the oil or gas produced being run to his account or a payment in money or other valuable consideration.

Section 2. (a) There is hereby levied, to be collected hereafter, as herein provided, annual privilege taxes upon every person engaging or continuing to engage within Choctaw County in the business of producing or severing oil or gas as defined herein, from the soil or the waters, or from beneath the soil or the waters, of the County for sale, transport, storage, profit, or for use. The amount of such tax shall be measured at the rate of one percentum (1%) of the gross value of said oil or gas at the point of production. (b) The tax is hereby levied upon the basis of the entire production in the County including what is known as the royalty interest, on which production the amount of such tax shall be a lien, regardless of the place of sale or to whom sold, or by whom used, or the fact that the delivery may be made to points outside the County; and the tax shall accrue at the time such oil or gas is severed from the soil or the waters, or from beneath the soil or the waters, and in its natural, unrefined, or unmanufactured condition.

Section 3. (a) The privilege tax hereby imposed is levied upon the producers of such oil or gas in the proportion of their ownership at the time of severance, but, except as otherwise herein provided, the tax shall be paid by the person in charge of the production operations, who is hereby authorized, empowered, and required to deduct from any amount due to producers of such production at the time of severance, the proportionate amount of the tax herein levied before making payments to such producers. The tax shall become due and payable as provided by this Act; and such tax shall constitute a first lien upon any of the oil or gas to be produced when in the possession of the original producer or any purchaser of such oil or gas in its unmanufactured state or condition. In the event the person in charge of production operations fails to pay the tax, then the Collector shall proceed against the producer to collect the tax in the manner hereinafter provided by this Act. (b) When any person in charge of production operations shall sell the oil or gas produced by him to any person under contracts requiring such purchaser to pay all owners of such oil or gas direct, then the person in charge of the production operations may not be required to deduct the tax herein levied; but, in which event, such deduction shall be made by the purchaser before making payments to each owner of such oil or gas, and the purchaser in that case shall account for the tax; provided that nothing herein shall be construed as releasing the person in charge of production operations from liability for the payment of said tax. (c) When any person in charge of production operations shall sell oil or gas produced by him, or shall use or dispose of the oil or gas for fuel or any other purpose, he shall withhold the tax imposed by this Act; and, if he is required to pay other interest holders, he is hereby authorized, empowered, and required to deduct from any amounts due them the amount of tax levied and due under the provisions of this Act before making payment to them. (d) Every person in charge of production operations by which oil or gas is severed from the soil or waters, or from beneath the soil or waters, of Choctaw County who fails to deduct and withhold, as required herein, the amount of tax from sale or purchase price, when such oil or gas is sold or purchased under contract or agreement, or on the open market, or otherwise, shall be liable to the County for the full amount of taxes,

interest, and penalties due the County; and the Collector shall proceed to collect the tax from the person in charge of production operations, under the provisions of this Act, as if he were the producer of the oil or gas.

Section 4. (a) The Collector is hereby authorized and directed to administer and enforce the provisions of this Act and to collect all of the taxes levied under the provisions hereof. Every person producing or in charge of production of oil and gas shall file monthly with the Collector a statement under oath, on forms the Collector prescribes, showing the location of each producing property operated or controlled by such producer during the last preceding monthly period; the number and kind of wells thereon; the kind of oil or gas produced; the gross quantity thereof produced; the actual cash value thereof at the time and place of production, including any and all premiums received from the sale thereof; the amount of tax due on the total gross production; the portion of gross production payable as royalty; and such other information as the Collector may require. (b) All persons engaged in the business of severing oil or gas are hereby required to keep full and complete records showing the nature, character, and volume of all such oil or gas severed, the value of such oil or gas at the point of production, the manner in which such oil or gas was disposed of, the prices or the consideration received for the sale thereof, and the quantity or volume of such oil or gas stored anywhere within or without Choctaw County; and such records shall at all reasonable times be open for inspection by representatives or agents of the Collector. (c) The Collector or its duly authorized representative or agent shall have the power and authority to inspect all records required to be kept under the provisions of this Act, to conduct hearings, and to compel the attendance of witnesses, for the purpose of determining the amount of taxes due under the terms and provisions of this Act.

Section 5. All reports required under the provisions of this Act shall be filed with the Collector on or before the 15th day of the calendar month and shall cover the preceding calendar month. If any person engaged in severing the natural resources herein defined shall fail or refuse to file a monthly report containing the information required under the provisions of this Act within the time prescribed, the Collector is hereby authorized and directed to assess a penalty of ten per cent (10%) of the amount of the taxes determined to be due. Such penalty may be waived for good and sufficient cause shown. All producers are hereby required to pay to the Collector all taxes accruing under the provisions of this Act for the period of time covered by the report herein required, and such payment shall accompany the required report.

Section 6. The Collector is hereby authorized and required to assess any taxes determined to be due and payable under the provisions of this Act against all producers, based upon reports received or information acquired from any source. The Collector is hereby authorized and directed to make assessment against any producer for any additional taxes which may be determined to be due as shown by any audit or any information coming into the possession of the Collector. When such assessment is made, the Collector shall give notice thereof by registered mail, with demand for return receipt, and shall set the date for a hearing on such assessment, not less than ten (10) days from the date the notice is mailed, and at said hearing the Collector shall determine from all the evidence produced the amount of tax or additional tax any producer owes to Choctaw County under the provisions of this Act. When a final assessment is made against any producer, notice thereof shall be given in like manner to such producer or his attorney of record.

Section 7. The Collector is hereby authorized and required to deduct the costs incurred by him in the collection of the taxes herein assessed, and the net remainder thereof shall be certified into the County Treasury for distribution as hereinafter provided.

Section 8. The net amount of all taxes herein levied and collected by the Collector, after they have been certified into the County Treasury, shall forthwith be allocated and distributed by the Treasurer to the credit of a Road and Bridge Fund for each of the several commissioners districts of the county, each district's Road and Bridge Fund being credited with the taxes collected on oil and gas produced in that district. The proceeds of the tax shall be used exclusively for the construction, repair and maintenance of the roads and bridges in the respective districts.

Section 9. All reports required to be filed under the provisions of this Act shall be made on blanks, furnished by the Collector, which shall contain the following certificate: "I hereby certify under oath that I am duly authorized to make this tax return; that the information herein contained is true and correct and same is shown by the records of the identified producer; and that the amount of taxes accompanying this return is the true and correct amount of taxes due Choctaw County by this producer." And same must be duly verified.

Section 10. Any party making or participating in a false tax return made under the provisions of this Act shall be guilty of perjury and, upon conviction, shall be punished in the manner prescribed by law.

Section 11. If it is brought to the attention of the Collector that any producer is guilty of violating any of the provisions of this Act, the Collector is hereby authorized and required, through lawfully authorized counsel, to proceed in the courts of the County to obtain a writ of injunction, which writ shall be granted by the court when applied for in the manner prescribed by law. The Collector, however, is hereby relieved of the requirement to furnish bond of any character.

Section 12. The provisions of this Act are severable. Should any part hereof be declared unconstitutional or invalid, such declaration shall not affect that which remains.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Matt L. Blount, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 14, Sept. 21, Sept. 28, and Oct. 5, all in the year 1950.

MATT L. BLOUNT.

Sworn to and subscribed before me October 9, 1950.

BEATRICE LANIER,
Notary Public.

By Mr. White (Covington) (with notice and proof):

H. 45. To impose extra, new and additional duties upon the President and associate members of the Board of Revenue of Covington County; to require an additional regular meeting of said board during each month; and to provide a monthly sum in payment of expenses for the performance of such extra duties and attendance upon said additional regular meeting.

Local Legislation.

Notice and Proof H. B. 45:

NOTICE OF LOCAL BILL

Notice is hereby given that a local bill will be introduced at this special session of the legislature. Said local bill will be substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To impose extra, new and additional duties upon the President and associate members of the Board of Revenue of Covington County, to require an additional regular meeting of said board during each month; and to provide a monthly sum in payment of expenses for the performance of such extra duties and attendance upon said additional regular meeting.

Be It Enacted by the Legislature of Alabama:

Section 1: It shall be the duty of the president and of each associate member of the Board of Revenue of Covington County, when requested by the county health officer, or without such request as such president or associate member deems proper, to inspect private or public premises in Covington County for the purpose of determining the presence of rodents or other carriers of disease and to discover the existence of any condition detrimental to the health of the people. Such inspections shall be made to the end that the Board may determine how much financial aid the County shall give in the execution of health programs recommended by the county health officers of Covington County.

Section 2: In addition to the single regular meeting required each month by the provisions of section 15, Act No. 22, Local Acts of 1945, p. 23, as said act was amended by Act No. 533, Local Acts of 1949, p. 844, said Board shall meet in regular session for the transaction of business on the last day of each month, but if said day is on Sunday, then said meeting shall be on the day next to the last day of the month.

Section 3: In payment of expenses incident to the performance of the extra duties imposed by Section 1 hereof and incurred in attending the additional meeting provided herein, the president and each associate member of the Board shall receive the sum of \$50.00 monthly to be paid from the General Fund of the County by warrant issued by the Board and signed by the President.

Section 4: This act shall become effective immediately upon its passage and approval by the Governor.
31Aug4tch.

PROOF OF PUBLICATION

STATE OF ALABAMA
COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: Aug. 31, Sept. 7, Sept. 14, Sept. 21, 1950.

This the 30th day of Sept., 1950.

ED DANNELLY.

Sworn to and subscribed before me this 30 day of September, 1950.

LORA JONES,
Notary Public.

By Mr. Buckner (with notice and proof):

H. 46. Relating to Cullman County: To change the method of com-

compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Local Legislation.

Notice and Proof H. B. 46:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to Cullman County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Cullman County shall receive the following annual salaries and allowances, in lieu of all other compensations:

(a) Probate Judge—salary \$7,500, Clerk hire allowances, \$10,000.

(b) Tax Assessor—salary \$4,500, Clerk hire allowances, \$2,500.

(c) Tax Collector—salary, \$4,500, Clerk hire allowances, \$2,500.

Section 2. All fees, commission, allowances, percentages, charges and costs heretofore collected for the use of any of the officers enumerated in Section 1 of this Act shall be collected and paid into the general fund of the county. All such money collected during one calendar month shall be paid to said general fund on or before the tenth day of the following month.

Section 3. For failure to pay any money herein required to be paid to the county within the time herein fixed, the said officers shall be subject to a penalty of five per centum of the amount unlawfully withheld by him for each month the same is unlawfully withheld, said penalty to be recovered by Cullman County and converted into the general fund of the county.

Section 4. The compensation of the officers enumerated in Section 1 of this Act and of their clerks, deputies and assistants shall be paid in equal monthly installments as the salaries of their county employees are paid.

Section 5. Each of the officers enumerated in Section 1 of this Act shall select, discharge, and fix the salaries of his subordinates. But no officer shall use the allowance provided in Section 1 hereof for any purpose other than paying subordinates.

Section 6. The governing body of Cullman County is authorized to adopt rules and regulations for conducting and operating the county officers affected by this Act, if such are necessary as a result of changing the method and basis of compensation.

Section 7. The governing body of Cullman County shall provide the officers enumerated herein, with the necessary quarters, books stationery, office equipment, supplies, postage and other conveniences and equipment for the proper and efficient conduct of the affairs of their offices.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the parts which remains.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective as to the various officers affected by it, upon the expiration of the terms of office of the incumbents and upon the ratification and adoption of an amendment to the Constitution of Alabama authorizing such an Act.

August 17-24-31-Sept 7-c

THE STATE OF ALABAMA
CULLMAN COUNTY

Before me, Paul R. Knight, a Notary Public in and for said County and State, personally appeared J. R. Rosson, publisher of The Cullman Democrat, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says, that the notice of which the attached is a true copy, was published in said newspaper, once a week, for four successive weeks and being in the issues of the said newspaper of the following date, viz August 17, 24, 31, Sept. 7, 1950.

J. R. ROSSON,
Publisher.

Sworn to and subscribed before me this the 9 day of October, 1950.

PAUL R. KNIGHT,
Notary Public.

By Mr. Coburn (with notice and proof):

H. 47. Relating to Colbert County, Alabama: To abrogate and abolish the criminal jurisdiction of justices of the peace and notaries public ex-officio justices of the peace in Colbert County, Alabama, and to provide for proceedings of such causes in the Colbert Law and Equity Court of Colbert County, Alabama.

Local Legislation.

Notice and Proof H. B. 47:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Colbert County, Alabama: To abrogate and abolish the criminal jurisdiction of justices of the peace and notaries public ex-officio justices of the peace in Colbert County, Alabama, and to provide for proceedings of such causes in the Colbert Law and Equity Court of Colbert County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The jurisdiction of justices of the peace and notaries public ex-officio justices of the peace in Colbert County, Alabama, including preliminary jurisdiction, in all criminal causes be and the same is hereby abrogated and abolished.

Section 2. Justices of the peace and notaries public ex-officio justices of the peace are hereby prohibited from having assuming or considering any criminal causes whatsoever, including bastardy.

Section 3. The Colbert Law and Equity Court of Colbert County, Alabama, shall have and assume jurisdiction of all criminal causes both final and preliminary, including bastardy, which have heretofore been vested in courts of justices of the peace and notaries public ex-officio justices of the peace.

Section 4. All criminal causes pending at the effective date of this act in courts of justices of the peace and notaries public ex-officio justices of the peace in Colbert County, Alabama, shall proceed to judgment in such courts in the manner provided by law before the effective date of this act.

Section 5. Be it further enacted that any violation by any justice of the peace or notary public ex-officio justice of the peace in Colbert County, Alabama, of any of the provisions of this act is a misdemeanor and upon conviction shall be punished by a fine of not less than \$50.00

and not exceeding \$500.00 and may also be imprisoned in the County Jail or sentenced to hard labor for the County for not more than twelve months.

Section 6. That all laws and parts of laws in conflict herewith, be and the same are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

8-24-4tc.

STATE OF ALABAMA
COLBERT COUNTY

Personally appeared before me, Jack Reed, a Notary Public in and for the State of Alabama at large, Walter F. Miller, who first being duly sworn deposes and says on oath that he is the Editor and Publisher of Colbert County Reporter, a weekly newspaper published in Colbert County, Alabama; that the attached notice was run in said paper for four consecutive weeks, beginning with the issue of August 24th, 1950, and ending with the issue of September 14th, 1950.

WALTER F. MILLER,
Editor and Publisher of Colbert County Reporter.

Sworn to and subscribed before me this 28th day of September, 1950.

JACK REED,
Notary Public, State of Alabama at large.

By Mr. Adams (Dale) (with notice and proof):

H. 48. To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Collector of the County.

Local Legislation.

Notice and Proof H. B. 48:

NOTICE

Notice is hereby given of the intention to introduce the following bill at the extraordinary session of the Legislature of Alabama:

A BILL
TO BE ENTITLED
AN ACT

To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Collector of the County.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Dale County is authorized and directed to pay out of the County treasury the salaries of additional clerks for the Tax Collector, to be appointed by the Tax Collector who shall also fix their salaries at not more than one thousand two hundred dollars (\$1200) per annum.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
DALE COUNTY

Before me, a Notary Public in and for said County and State, personally appeared John Q. Adams who deposeth and sayeth that he is the Publisher of The Southern Star, a weekly newspaper published in said

County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows:

Sept. 7, 1950, Sept. 14, 1950, Sept. 21, 1950, Sept. 28, 1950.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me this 10 day of October, 1950.

G. L. WELLS,
Notary Public.

My Commission expires Jan. 23, 1950.

By Mr. Adams (Dale) (with notice and proof):

H. 49. To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Assessor of the County.

Local Legislation.

Notice and Proof H. 49:

NOTICE

Notice is hereby given of the intention to introduce the following bill at the extraordinary session of the Legislature of Alabama:

A BILL TO BE ENTITLED AN ACT

To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Assessor of the County.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Dale County is authorized and directed to pay out of the County treasury the salaries of additional clerks for the Tax Assessor, to be appointed by the Tax Assessor who shall also fix their salaries at not more than one thousand two hundred dollars (\$1200) per annum.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA DALE COUNTY

Before me, a Notary Public in and for said County and State, personally appeared John Q. Adams who deposeth and sayeth that he is the Publisher of The Southern Star, a weekly newspaper published in said County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows:

August 17, 1950, August 24, 1950, August 31, 1950, Sept. 7, 1950.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me this 10 day of October, 1950.

G. L. WELLS,
Notary Public.

My Commission expires Jan. 23, 1950.

By Mr. Dumas:

H. 50. To provide that the tax anticipation bonds, warrants or certificates of indebtedness issued pursuant to a constitutional amendment proposed by Act No. 570 of 1949, General Acts of Alabama of 1949, pp. 897-899, submitted December 13, 1949, and proclaimed ratified December 21, 1949, are authorized investments for any fiduciary.

Judiciary.

By Messrs. Merrill, Martin and Lovelace:

H. 51. Relating to powers of committees of the Legislature of Alabama or of either House thereof; empowering legislative committees to investigate any subject respecting which they may desire information in aid of the proper discharge of their functions; providing for the compulsory attendance of witnesses; prescribing penalties for contempts and false swearing.

Judiciary.

By Messrs. Taylor (Autauga), Merrill, Martin, and Lovelace:

H. 52. Relating to the nomination and confirmation of officers required to be confirmed by the Senate: Fixing the time in which the Governor must make nominations and submit them to the Senate; prescribing the time which the Senate shall have to act on such nominations; and providing for the expiration of ad interim appointments if not confirmed.

Judiciary.

By Messrs. Taylor (Autauga), Merrill, Martin, and Lovelace:

H. 53. To establish within the Legislative Reference Service a Legislative Fiscal Division, prescribing its powers and duties, and providing for its officers and employees.

Judiciary.

By Messrs. Taylor (Autauga), Merrill, Martin, and Lovelace:

H. 54. To make a transfer of funds appropriated to the use of the Legislative Reference Service for expenses to the Service's appropriation for salaries.

Judiciary.

By Messrs. Taylor (Autauga), Merrill, Martin, Shirley, and Lovelace:

H. 55. Relating to state automobiles: Regulating the type, number, purchase, use, repair and maintenance of automobiles owned and operated by the state, its officers and agencies; providing for the keeping of records concerning such automobiles; providing for the administration of the Act; establishing a revolving fund for the operation of an automobile pool and for the repair and maintenance of state automobiles and making an appropriation therefor; and prescribing penalties for violations of the Act.

State Administration.

By Mr. Gillis:

H. 56. To propose an amendment to the Constitution of Alabama.
Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Roberts, Benford and Adams (Jefferson):

H. 57. To apportion the membership of the House of Representatives of the Legislature among the several counties of the State according to population under the Federal Census of 1950; and providing for the effective date of this Act.

Constitution and Elections.

By Messrs. Givhan, Hardy and Molette (with notice and proof):

H. 58. To empower the governing body of the City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, to levy in said city, additional special privilege or license taxes paralleling, with like provisions in said city, such State of Alabama taxes as are levied by said State by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, except that only fifty per cent (50%) of the State levy provided by subdivisions (a), (b) and (c) of said Section 753 shall be made and

shall be collected by said city; to provide a lien in favor of the City against the property of taxpayers liable for such taxes and to make the provisions of the Revenue Laws of the State of Alabama applicable to the enforcement of such liens; to provide that taxes which may be levied hereunder shall constitute a debt due said City and to provide methods of collection; to provide for the collection of such taxes by the Treasurer of said city and for reports to be made by taxpayers liable for such taxes; to provide that the Treasurer of said city as to the collection of such taxes shall have the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto; to provide for expenses of clerk hire and other expenses incurred by said city in collecting, handling and disbursing such taxes; to provide that the taxes which may be levied hereunder shall be in addition to all other licenses and taxes which may be levied by said city and a condition precedent to engaging in any business taxable hereunder, except as may be otherwise provided; to provide for the time and manner, method and provision for the collection of said taxes; to provide that such taxes which may be levied hereunder shall be added by the taxpayer to the sales price and collected from the purchaser on all sales affected hereby and to provide the method of determining the amounts to be added to sales and collected from the purchaser and to provide a penalty for failure or refusal to abide by such requirements; to provide for the allocation and use of the taxes which may arise hereunder; to provide penalties for failure to comply with the provisions of this act; and to provide the governing body of said city with authority to call and hold an election to submit to the qualified electors of said city the question as to whether or not such taxes shall be levied, the length of time such taxes shall run and the rate thereof; to provide when this act shall go into effect.

Local Legislation.

Notice and Proof H. B. 58:

LEGAL NOTICE

Notice is hereby given that the City of Selma, Alabama, a municipal corporation will apply for passage of a local law for said City of Selma at the 1950 special session of the Legislature of Alabama called to convene on August 9, 1950 and recessed until October 10, 1950, which local law reads as follows:

A BILL TO BE ENTITLED AN ACT

To empower the governing body of the City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, to levy in said city, additional special privilege or license taxes paralleling, with like provisions in said city, such State of Alabama taxes as are levied by said State by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, except that only fifty per cent (50 per cent) of the State levy provided by subdivisions (a), (b), and (c) of said Section 753 shall be made and shall be collected by said city; to provide a lien in favor of the City against the property of taxpayers liable for such taxes and to make the provisions of the Revenue Laws of the State of Alabama applicable to the enforcement of such liens; to provide that taxes which may be levied hereunder shall constitute a debt due said City and to provide methods of collection; to provide for the collection of such taxes by the Treasurer of said city and for reports to be made by taxpayers liable for such taxes; to provide that the Treasurer of said city as to the collection of such taxes shall have the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by

Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto; to provide for expenses of clerk hire and other expenses incurred by said city in collecting, handling and disbursing such taxes; to provide that the taxes which may be levied hereunder shall be in addition to all other licenses and taxes which may be levied by said city and a condition precedent to engaging in any business taxable hereunder, except as may be otherwise provided; to provide for the time and manner, method and provision for the collection of said taxes; to provide that such taxes which may be levied hereunder shall be added by the taxpayer to the sales price and collected from the purchaser on all sales affected hereby and to provide the method of determining the amounts to be added to sales and collected from the purchaser and to provide a penalty for failure or refusal to abide by such requirements; to provide for the allocation and use of the taxes which may arise hereunder; to provide penalties for failure to comply with the provisions of this act; and to provide the governing body of said city with authority to call and hold an election to submit to the qualified electors of said city the question as to whether or not such taxes shall be levied, the length of time such taxes shall run and the rate thereof; to provide when this act shall go into effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, as herein provided, may levy, in addition to all other taxes of every kind now imposed by law, and may collect as herein provided, an additional, special privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates, against gross sales, or gross receipts, as the case may be, as follows: (a) Upon every person, firm or corporation engaged, or continuing within the City of Selma, Alabama, in business of selling at retail any tangible personal property whatsoever, including merchandise, and commodities of every kind and character, (not including, however, bonds or other evidences of debt or stocks), an amount equal to one per cent (1 per cent) of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required by said city on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. (b) Upon every person, firm or corporation engaged, or continuing within the City of Selma, Alabama in the business of conducting, or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudevills, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution within said city, or any athletic association thereof, or other association whether such institution or association be denominational, a state, a county, or a municipal institution or association or a state, county, or city school or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within the City of Selma, Alabama, an amount equal to one per cent (1 per cent) of the gross receipts of any such business. (c) Upon every person, firm or corporation engaged or continuing within the City of Selma, Alabama, in the business of selling any automotive vehicles or truck-trailer or semi-trailer, an amount equal to one-fourth ($\frac{1}{4}$) of one per cent (1 per cent)

of the gross proceeds of the sale of said automotive vehicle, or truck-trailer, or semi-trailer. (d) The tax which may be levied hereunder shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines and punishments and deductions set out in Section 752 through Section 786 and Article Ten of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereof, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof.

Section 2. The taxes which may be levied, together with the interest and penalties which may be imposed under the authority of this act, shall be a lien upon the property of any person, firm or corporation due said taxes to the City of Selma, Alabama, and all of the provisions of the Revenue Laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes which may be levied hereunder.

Section 3. The taxes which may be levied hereunder shall constitute a debt due the City of Selma for the uses and purposes authorized herein and may be collected by civil suit in addition to the methods provided by law or herein otherwise provided.

Section 4. The taxes which may be levied hereunder shall be collected by and paid to the Treasurer of the City of Selma, Alabama in his official capacity. All reports required to be made to the Commissioner of Revenue of the State of Alabama as to State sales taxes under Section 752 through Section 786, Article Ten of Chapter 20 of Title 51 of the Code of Alabama as to such taxes which may be levied hereunder shall be made to the Treasurer of the City of Selma, Alabama, in his official capacity and, as to the taxes which may be levied hereunder, the said Treasurer of the City of Selma, Alabama shall have and exercise the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by Section 752 through Section 786 and by Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama; and amendments thereto as to State taxes therein levied.

There may be deducted out of the proceeds of said taxes such reasonable expense for clerk hire and other expenses incurred by the Treasurer of the City of Selma, Alabama in the collection, handling and disbursing of said monies as may be approved by the governing body of the City of Selma, Alabama.

Section 5. The taxes which may be imposed hereunder shall be in addition to all other licenses and taxes which may be levied by the City of Selma, Alabama, and a condition precedent to engaging in any business which may be taxable hereunder in the City of Selma, Alabama, except as herein otherwise specifically provided.

Section 6. The taxes which may be levied hereunder shall be due and collected at the times and in the manner as set out in Section 752 through Section 786 and in Article Ten of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, and all of the methods and provisions given to the State of Alabama as to the collection of said taxes under the provisions of Section 752 through Section 786 and Article Ten of Chapter 20 of Title 51 of said Code of Alabama, and amendments thereto, are given hereby to the City of Selma, Alabama and to the Treasurer of the City of Selma, Alabama, for the use of the City of Selma, Alabama, as to the taxes which may be levied hereunder, except as herein otherwise specifically provided.

Section 7. Every person, firm or corporation, association or co-partnership engaged in or continuing within the City of Selma, Alabama in the business for which a license or privilege tax may be required under the authority of this act shall add to the sales price and collect from the purchaser on all sales upon the gross receipts or gross proceeds, of which there shall be levied by the City of Selma under the authority of this

act a sales tax at the rate of one per cent (1 per cent) an amount equal to the following: No amount on sales of thirty cents (30c) or less; one cent (1c) on sales of thirty-one cents (31c) and over, but not in excess of One Dollar thirty cents (\$1.30); one cent (1c) additional for each One Dollar (\$1.00) or fraction thereof in excess of One Dollar thirty cents (\$1.30), provided, however, that upon all sales the gross receipts or gross proceeds of which shall be taxed by the City of Selma under the authority of this act at the rate of one-fourth ($\frac{1}{4}$) of one per cent (1 per cent), there shall be added to the sales price and collected from the purchaser by such person, firm, corporation, association or co-partnership described in this act, an amount equal to one-fourth ($\frac{1}{4}$) of one per cent (1 per cent) of such sales price. It shall be unlawful for any person, firm, corporation, association or co-partnership described in this act to fail or refuse to add to the sales price and collect from the purchaser the amount authorized to be levied by this act to be so added to the sales price and collected from the purchaser; and it shall likewise be unlawful to refund or offer to refund all or any part of the amount collected, or to absorb or advertise directly or indirectly the absorption or refund of the amount required to be added to the sales price and collected from the purchaser, or any portion of such amount. Any person, firm, corporation, association or co-partnership who shall violate any of the provisions of this act shall be guilty of a misdemeanor against the City of Selma, Alabama and, upon conviction, shall be fined by the Recorder of the City of Selma, Alabama in a sum of not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars, or may be imprisoned in the City Jail for not more than six (6) months or by both such fine and imprisonment, and each act and violation of the provisions of this section shall constitute a separate offense. The provisions of this section that there shall be added to the sales price and collected from the purchaser by the City of Selma, Alabama the amounts provided herein shall in no way relieve the person, firm, corporation, association or co-partnership described in this act of the tax which may be levied by the City of Selma, Alabama under the authority of this Act; nor shall the inability, impracticability, refusal or failure to add to the sales price and collect from the purchaser the amounts provided herein relieve such person, firm, corporation, association or co-partnership from the tax which may be levied by the City of Selma, Alabama under the authority of this act.

Section 8. (a) Seventy-five per cent (75 per cent) of the net revenues arising from the taxes which may be levied by the City of Selma, Alabama under the authority of this act shall be allocated and used exclusively for public school purposes in the City of Selma, and to include the maintenance and operation of public schools and the construction and improvement of public school buildings and grounds and the payment of the salaries of teachers and other school employees, and the purchase of lands to be used for public school purposes.

(b) Twenty-five per cent (25 per cent) of the net revenues arising from said taxes shall be allocated and used exclusively for constructing, maintaining, repairing, operating, expanding and improving the storm water drainage system of said city in said city.

(c) The City of Selma shall have the right and authority to use the net revenues which arise from said taxes under the authority of this act to the payment of indebtedness contracted by the City for public school purposes, including the maintenance and operation of public schools and the construction and improvement of public school buildings and grounds and the payment of the salaries of teachers and other school employees, and the purchase of lands to be used for public school purposes, and also for constructing, maintaining and repairing, operating and improving the storm water drainage system of said city in said city, or to any one or more of these purposes, in the proportions allocated and provided in Section 8 (a) and Section 8 (b) of this act.

Section 9. Any person who shall be subject to legislation which may

be hereafter adopted by the governing body of Selma under the authority of this act who shall fail to make the reports or any of them, as required, or who shall fail to keep the records as required, shall be guilty of a misdemeanor against the City of Selma and, upon conviction, shall be fined not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars for each offense, and each month of such failure shall constitute a separate offense.

Section 10. Any person who shall be subject to legislation which may be hereafter adopted by the governing body of Selma under the authority of this act who shall willfully refuse to make the reports as required by said city, or who shall refuse to permit the examination of his records by the City of Selma, or its duly authorized agents, shall be guilty of a misdemeanor against the City of Selma, and, upon conviction, shall be fined not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars for each offense and, in addition, may be imprisoned in the City Jail for a period of not to exceed six (6) months. Each month of failure to make such reports shall constitute a separate offense and each refusal of a written demand of the City of Selma to examine, inspect or audit such records shall constitute a separate offense.

Section 14. Any person who shall be subject to legislation which may be hereafter adopted by the governing body of Selma under the authority of this act who shall violate any of the provisions of such legislation may be restrained by the City of Selma from continuing in business and the proper prosecution shall be instituted in the name of the City of Selma by its City Attorney until such person shall have complied with the provisions of such legislation.

Section 12. Before any tax is levied under the authority of this act, the governing body of said city shall first submit the question as to whether or not such tax shall be levied, the length of time it shall run, not exceeding twenty (20) years, and the rate of the tax, to the qualified electors of said city at an election, which said election shall be called in the following manner: The governing body of said city shall pass a resolution reciting that, in the opinion of said governing body, it is to the interest of said city that such taxes shall be levied for the purposes authorized in this act and calling upon the Mayor and Clerk of said city, in their official capacities, to call an election for the purpose of submitting to the qualified electors of said city the question as to whether or not the taxes authorized hereunder shall be levied, stating the rates proposed and the time which the said taxes shall run. Upon such certificate said Mayor and Clerk of said city shall by proclamation, call an election, which proclamation shall be in substance as follows: "To the Electors of the City of Selma, Alabama: The City Council of the City of Selma, Alabama having passed a resolution reciting that it is to the interest of the City of Selma that an additional, special privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales or gross receipts, as the case may be, shall be levied as follows: (a) Upon every person, firm or corporation engaged or continuing within the City of Selma, Alabama, in business of selling at retail any tangible personal property whatsoever, including merchandise, and commodities of every kind and character, (not including, however, bonds or other evidences of debt or stocks), an amount equal to one per cent (1 per cent) of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required by said city on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. (b) Upon every person, firm or corporation engaged, or continuing within the City of Selma, Alabama in the business

of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudevills, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within said city, or any athletic association thereof, or other association whether such institution or association be denominational, a state, a county, or a municipal institution or association or a state, county or city school or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within the City of Selma, Alabama, an amount equal to one per cent (1 per cent) of the gross receipts of any such business. (c) Upon every person, firm or corporation engaged or continuing within the City of Selma, Alabama, in the business of selling any automotive vehicles or truck-trailer or semi-trailer, an amount equal to one-fourth ($\frac{1}{4}$) of one per cent (1 per cent) of the gross proceeds of the sale of said automotive vehicle, or truck-trailer or semi-trailer. (d) That the tax which may be levied shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines and punishments and deductions set out in Section 752 through Section 786 and Article Ten of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereof, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof, for a period of twenty (20) years, and which said resolution requests the undersigned officials to call an election to submit to the qualified electors the aforesaid proposition.

Now, therefore, an election be and is hereby called to be held at the regular polling places in the City of Selma, Alabama on the day of, 19, at which said election the question as to whether or not the said taxes shall be levied in said city shall be voted upon by the qualified electors of said city.

Witness our hands this the day of, 19

As Mayor

As Clerk "

Notice of said election shall be given by publication of the aforesaid proclamation once a week for four (4) consecutive weeks in any newspaper published in Dallas County, Alabama. The said election shall be held, conducted and canvass of the returns thereof made and certified in the same manner as elections for city officers. Except as herein otherwise provided, the general statute relating to the election for city officers shall govern in elections held hereunder. The Mayor of Selma shall cause ballots to be printed and distributed at such election, which said ballot shall be in substance as follows: "Shall an additional special privilege or license tax against the person on account of the business activities in the amount to be determined by the application of rates against gross sales or gross receipts, as the case may be, be levied as follows: (a) upon every person, firm or corporation engaged, or continuing within the City of Selma, Alabama, in business of selling at retail any tangible personal property whatsoever, including merchandise, and commodities of every kind and character, (not including, however, bonds or other evidences of debt or stocks), an amount equal to one per cent (1 per cent) of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required by said city on the gross

proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. (b) Upon every person, firm or corporation engaged, or continuing within the City of Selma, Alabama in the business of conducting, or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution within said city, or any athletic association thereof, or other association whether such institution or association be denominational, a state, a county, or a municipal institution or association or a state, county or city school or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within the City of Selma, Alabama, an amount equal to one per cent (1 per cent) of the gross receipts of any such business. (c) Upon every person, firm or corporation engaged or continuing within the City of Selma, Alabama, in the business of selling any automotive vehicles or truck-trailer or semi-trailer, an amount equal to one-fourth ($\frac{1}{4}$) of one per cent (1 per cent) of the gross proceeds of the sale of said automotive vehicle, or truck-trailer or semi-trailer. (d) The tax which may be levied shall be subject to all exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines and punishments and deductions set out in Section 752 through Section 786 and Article Ten of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereof, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof, for a period of twenty (20) years, commencing on the _____ day of _____, 19_____, and under the said above writing shall appear on the left hand side the words "For said tax" with appropriate lines or brackets marked "Yes," and on the right hand side the words "Against said Tax" with appropriate lines or brackets marked "No," and the person desiring to vote shall indicate his choice by marking a cross mark on the line or bracket opposite or under the words "Yes" or "No", whichever shall indicate his choice. The Mayor and Clerk of said city shall certify the results of said election to the City Council of said city and, if a majority voting at said election shall have voted for such tax, the said City Council may, at its next regular meeting after such certificate is received by it, impose said tax in the amounts and for the time submitted on the ballot.

Section 12. The City of Selma, Alabama may by proper legislation, in the event the taxes authorized to be levied hereunder are levied, allow a discount, not to exceed three per cent (3 per cent) of said taxes and due and payable to said city by any person, firm or corporation licensed under the provisions hereof. Provided, however, that no discount shall be authorized or allowed upon any such taxes which are not paid before delinquency, as in this act provided.

Section 13. Should any section, paragraph or portion of this act be declared unconstitutional, it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section 14. This act shall go into effect immediately upon its passage and approval, or its otherwise becoming law.

THE STATE OF ALABAMA
THE COUNTY OF DALLAS

Before me, R. Randolph Smith, a Notary Public in and for said County in said State, personally appeared Mrs. F. T. Raiford, who is known to me and who, being first duly sworn, deposes and says as follows:

My name is Mrs. F. T. Raiford. I am Publisher and General Manager of The Selma Times Journal, a daily newspaper published in Selma, Dallas County, Alabama.

Attached hereto is a true copy of a notice published in The Selma Times Journal on the following dates: September 3, 1950, September 10, 1950, September 17, 1950 and September 24, 1950. Said notice was published by the City of Selma, Alabama in conformity with Section 106 of the Constitution of the State of Alabama and pertains to a sales tax for the City of Selma, Alabama.

MRS. F. T. RAIFORD,
Publisher and General Manager,
The Selma Times Journal.

Sworn to and subscribed before me this the 9th day of October, 1950.

R. RANDOLPH SMITH,
Notary Public, Dallas County, Alabama.

My Commission Expires January 3, 1953.

By Mr. Beck:

H. 59. Relating to the distribution, sale, or transportation of adulterated or misbranded insecticides, fungicides, rodenticides, and other economic poisons; regulating traffic therein; providing for registration and examination of such materials, imposing penalties, and for other purposes.

Agriculture.

By Mr. Beck:

H. 60. To provide for regulation of the application of insecticides, fungicides, and herbicides by aircraft or ground equipment, making the Commissioner of Agriculture and Industries the administrator of the Act, empowering him to prescribe materials or methods to be used and prohibit the use of materials or methods in the application of insecticides, fungicides, and herbicides, to the extent necessary to protect health or property, and to promulgate rules and regulations for carrying out the provisions of this Act.

Agriculture.

By Mr. Beck:

H. 61. To make it unlawful for any person to display, handle, exhibit or use any poisonous or dangerous snake or reptile in such a manner as to endanger the life or health of another, and prescribing the punishment for violation of this Act.

Judiciary.

By Messrs. Beck and Miller:

H. 62. To amend Section 1 of Act No. 301, S. 222, approved August 14, 1947, which Act makes annual appropriations to provide old age assistance to certain retired school teachers.

Education.

By Messrs. Beck and Miller:

H. 63. To make a deficiency appropriation to the Teachers' Special Pension Fund created by, or provided for in, Act No. 209, S. 62, approved July 7, 1945, and Act No. 301, S. 222, approved August 14, 1947, to supplement the benefits paid under said Acts.

Education.

By Mr. Beck (with notice and proof):

H. 64. To amend "An act to establish a county court for DeKalb County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County, Alabama, to the cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County, Alabama", act No. 179, approved July 22, 1927, as amended, by amending Section 5 thereof to read as hereafter set out.

Local Legislation.

Notice and Proof H. B. 64:

NOTICE

STATE OF ALABAMA DEKALB COUNTY

Notice is hereby given that at the next special 1950 session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend "An act to establish a county court for DeKalb County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County, Alabama, to the cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County, Alabama" acts No. 179, approved July 22, 1927, as amended, by amending Section 5 thereof to read as hereafter set out.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of the act No. 179, as amended, approved July 22, 1927, which relates to the DeKalb County Court, of DeKalb County, Alabama, is amended to read as follows: Section 5. That the judge of said Court shall receive a salary of Four Thousand, Eight Hundred Dollars per annum payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 2. That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(8-23-41)

CERTIFICATE OF PUBLICATION

I, E. O. Davidson, hereby certify that I am the Editor and Publisher of the Fort Payne Journal, a newspaper published in Fort Payne, DeKalb County, Alabama. I further certify that the following notice was published in the Fort Payne Journal on the following dates: August 23, August 30, September 6, and September 13, 1950.

E. O. DAVIDSON.

STATE OF ALABAMA DEKALB COUNTY

Subscribed to and sworn to before me, this the 13th day of September, 1950.

JOHN T. BLACK,
Notary Public.

My commission expires March 21, 1953.

By Mr. Morring:

H. 65. Relating to the compensation of the judge of the Inferior Court of any municipality in the State which has a population of not more than 15,000 and not less than 13,000 inhabitants.

Local Legislation.

By Messrs. Miller and Ganey:

H. 66. To fix the salary of the State Superintendent of Education.

Education.

By Messrs. Ward and Brown (with notice and proof):

H. 67. Relating to Lee County: To authorize the governing body of Lee County to levy and collect a privilege tax on all persons, corporations, firms, companies, agencies, and associations selling, delivering, withdrawing from storage, or keeping in storage for sale or delivery in such County, gasoline, naphtha, and other liquid motor fuel or any substitute therefor commonly used in internal combustion engines, but not including kerosene, fuel oil, or crude oil commonly used for lighting, heating, or industrial purposes; providing exemptions from such levy and for the use of the revenues derived from the tax; making the operation of the Act contingent upon the results of a referendum; directing and requiring the county governing body to provide for holding an election relative to the levying of such tax.

Local Legislation.

Notice and Proof H. B. 67:

NOTICE

STATE OF ALABAMA COUNTY OF LEE

Notice is hereby given that at the 1950 Extra session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lee County: To authorize the governing body of Lee County to levy and collect a privilege tax on all persons, corporations, firms, companies, agencies, and associations selling, delivering, withdrawing from storage, or keeping in storage for sale or delivery in such County, gasoline, naphtha, and other liquid motor fuel or any substitute therefor commonly used in internal combustion engines, but not including kerosene, fuel oil, or crude oil commonly used for lighting, heating, or industrial purposes; providing exemptions from such levy and for the use of the revenues derived from the tax, making the operation of the Act contingent upon the results of a referendum; directing and requiring the county governing body to provide for holding an election relative to the levying of such tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Lee County may levy, in addition to all other taxes now imposed by law upon every distributor, refiner, retail dealer, or storer of gasoline an excise tax of not more than two cents per gallon upon the selling, distributing, storing, or withdrawing from storage in said county, for any use, gasoline, naphtha, or other liquid motor fuel or any substitute therefore commonly used in internal combustion engines, but not including kerosene oil, fuel oil, or crude oil commonly used for lighting, heating, or industrial purposes.

Section 2. The governing body of Lee County shall provide rules and regulations and the necessary administrative machinery for the collection of such privilege tax, and provide penalties for the violation of such rules and regulations.

Section 3. The governing body of Lee County shall issue certificates of exemption for use by the United States or any agency thereof in purchasing gasoline within the county if the gasoline purchased is paid for and used by the United States of America or any agency thereof. Any person, corporation, firm, company, agency, or association reporting and paying the tax herein provided for may deduct the number of gallons sold to the United States as shown by exemption certificates filed with the report.

Section 4. The revenue derived from the tax herein provided for, less the cost of collection, shall be used for the purpose of constructing and maintaining public roads, streets, bridges, and highways in Lee County.

Section 5. The governing body of Lee County is directed and required to call and provide for holding an election for the qualified electors of the county at which there shall be submitted to the qualified electors participating therein the following question: "Do you favor a county tax of not more than two cents per gallon on gasoline, the proceeds of which shall be used solely for the purpose of constructing and maintaining public roads, streets, bridges, and highways in Lee County?"

The election shall be held as nearly as may be in the same manner as are constitutional amendment elections, and shall be held on the first Tuesday after the expiration of thirty days from the effective date of this Act, or on another day fixed by the governing body of the county. The expense of holding the election shall be paid for by the county out of its general fund. In the event a majority of the electors who participate in the election vote in the affirmative on the issue submitted this Act shall become operative immediately. If a majority of the electors vote negatively on the issue, this Act shall have no further force or effect.

(Adv. Sept. 19-26-Oct. 3-10)

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Wilson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Opelika Daily News, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 19, Sept. 26, Oct. 3, and Oct. 10, all in the year 1950.

W. H. WILSON.

Sworn to and subscribed before me October 10, 1950.

RUTH CLEGG,
Notary Public.

By Mr. Haynes (Lowndes):

H. 68. To create and establish the position of consultant emeritus to the county governing body in each of the several counties in the State of Alabama; to fix the qualifications of such consultant emeritus; to prescribe the manner of his appointment; to define his duties and responsibilities; and to provide for his compensation.

Local Government.

By Mr. Shelton:

H. 69. To propose an amendment to the Constitution of Alabama.
Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Shelton:

H. 70. To exempt bona fide permanent residents of Alabama who have honorably served ninety or more days in the military service of the United States since September 16, 1940, or who may hereafter honorably serve in the military service of the United States for a period of six months or outside the continental United States for any period, from certain State, county and municipal business and occupational license taxes.

State Administration.

By Messrs. Sullivan, Harris, Morring, Miller, Weaver, Stewart, Inzer, Coburn, O'Neal, Rogers, Roberts, Benford, Armstrong, and Buckner:

H. 71. To ratify, confirm and validate the allocation and distribution heretofore made by the State of Alabama Building Commission of the sum of \$65,000.00 to each of the Regional Tuberculosis Sanatoria located in District No. 1 at Decatur, Alabama and in District No. 4, Etowah County, Alabama.

Judiciary.

By Messrs. Wallace, Coburn, Merrill, Roberts, Harris, Givhan:

H. 72. To increase the compensation of the State Auditor, the Secretary of State and the State Treasurer to the extent of \$1200.00 per annum.

Judiciary.

By Mr. Ingalls:

H. 73. To amend Section 543 of Title 51, Code of Alabama (1940), which relates to privilege licenses.

Local Government.

By Messrs. Duffee, Beatty and Gibson:

H. 74. To amend Section 1 of Act No. 607, S. 202, approved October 9, 1947 (General Acts of Alabama, 1947, page 456) entitled "An Act To make an annual appropriation to provide a retirement benefit to any State employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee; and to provide a supplement to the retirement benefit of any state employee who had attained age 60 on October 1, 1945, and who is or will be retired under the provisions of Act 515, approved July 9, 1945 with a minimum of 15 years of service as a state employee, and who is not entitled under the provisions of said Act 515 to receive a retirement benefit in excess of \$60.00 per month; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund appropriated by this act."

State Administration.

By Mr. Ingalls:

H. 75. To provide for two special investigators to be appointed by the Chief Examiner of Public Accounts to investigate the granting of pardons and paroles and state purchasing and any other investigation deemed necessary by the Chief Examiner of Public Accounts; providing for their terms of office, compensation, powers and duties, and to make an appropriation to carry out the provisions of this Act.

Judiciary.

By Mr. Givhan:

H. 76. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Merrill:

H. J. R. 18. Be It Resolved by the House, the Senate concurring, that when the two Houses Adjourn today, they adjourn to meet again Thursday, October 12, at 10 A. M.

On motion of Mr. Merrill the rules were suspended in order to bring up for immediate consideration H. J. R. 18.

Mr. Givhan offered the following amendment to the resolution, H. J. R. 18:

Amend H. J. R. 18 by striking the words and figures Thursday October 12 and substituting in lieu thereof the following: Friday October 13.

And the amendment was adopted.

Yeas 58; Nays 8.

Yeas:

Mr. Speaker	Crocker	Larkins	Shelton
Adams (Dale)	Crook	McClendon	Sightler
Barnett	Denton	McDonald	Still
Beatty	Duffee	Malone	Stone
Benford	Dumas	Martin	Sullivan
Black	Dyar	Molette	Taylor (Autauga)
Brannan	Faulk	Morring	Taylor (Hale)
Brassell	Ganey	Nelson	Thagard
Brown	Garrett	Nettles	Thompson (Crenshaw)
Buckner	Givhan	O'Neal	Wallace
Busby	Hankins	Pinkston	Ward
Bush	Hardy	Pinson	Weaver
Callahan	Harris	Robinson	Whitcomb
Coburn	Haynes (Lowndes)	Sellers	White (Covington)
Cox	Knight		

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Nays:

Messrs.:	Head	Merrill	Roberts
Dobbs (Fayette)	Lovelace	Miller	Sadler
George			

—8

And the resolution H. J. R. 18, as thus amended, was adopted.

Also:

By Mr. Sullivan:

H. J. R. 19. WHEREAS, Miss Yolande Betbeze of Mobile, Alabama, by reason of her beauty, charm, poise, talent and ability has achieved the distinction of being the first lady of Alabama to be named as Miss America; and

WHEREAS, such recognition has redounded to the benefit of Alabama and of all Alabamians and will, in the future, create favorable interest in this State; and

WHEREAS, it is the wish of the people of Alabama, through their duly elected representatives to publicly recognize the achievement of Miss Yolande Betbeze,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that Miss Yolande Betbeze be and is hereby congratulated on behalf of the State of Alabama for her magnificent achievement and that it be made known to her that the best wishes of the people of this State go with her in her year of reign as Miss America.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the said Miss Yolande Betbeze and that a copy hereof be forwarded to the officials of "Miss America" at Atlantic City, New Jersey.

On motion of Mr. Sullivan the rules were suspended and H. J. R. 19 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lowe:

S. J. R. 9. WHEREAS Alabama Agricultural and Mechanical College for Negroes, Normal, Alabama, is commemorating its seventy-fifth anniversary, is a Class A accredited college by the Southern Association of Colleges for Negroes, and

WHEREAS the late William Hooper Councill founded this school as a State Normal School and served as its President for thirty-four years, giving it much direction in its growth to serve his race and all of the people of Alabama, and

WHEREAS the present President, Dr. J. F. Drake, has served the school as President for twenty-three years,

NOW THEREFORE BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That we do recognize the contributions of the Alabama Agricultural and Mechanical College for Negroes, and especially take notice of the seventy-fifth anniversary of this College, and

2. That we express our appreciation to Dr. J. F. Drake and to his associates for their leadership and untiring efforts for the best development of the College for the people of this race and for their efforts to make the maximum contributions to the harmonious development of all of the people of this State.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Morring the rules were suspended and the House concurred in and adopted the S. J. R. 9 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S. J. R. 12. WHEREAS, Senator Forrest G. Bridges departed this life on September 4, 1950, in Notasulga, Alabama and,

WHEREAS, he had devoted practically his entire adult life to public service, serving as Sheriff of Macon County, member of the House of

Representatives of Alabama, member of the Senate of Alabama for Bullock and Macon Counties and Mayor of his home town, Notasulga, for 22 years and,

WHEREAS, he was devoted to his family, his many friends, and the people he served, being ever ready to contribute to the needs of his neighbors and to the progress and well being of his home town, County and State, and,

WHEREAS, he was an active and successful business man, who used his outstanding talents at all times for the progress and betterment of his community, impressing those with whom he came in contact with the qualities of his Christian character, and,

WHEREAS, he will be sorely missed by his family, neighbors, and his many friends throughout the State who now mourn their loss, now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. We express our profound grief in the passing of Forrest G. Bridges and extend our sincere and deep sympathy to the members of his family and to his many friends and neighbors throughout the State.

2. The Secretary of the Senate is directed to transmit a copy of this Resolution to Mrs. Forrest G. Bridges. The Resolution shall be spread upon the journals of the Legislature and a copy released to the press.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Bush the rules were suspended and the House concurred in and adopted the S. J. R. 12 set out in the above and foregoing Message from the Senate.

UNFINISHED BUSINESS

The motion of Mr. Sellers to reconsider the vote by which the bill, H. 5, was lost, was adopted.

And the bill:

H. 5. To provide for civil defense: Creating an Office of Civil Defense; providing for a Director of Civil Defense, fixing his compensation, powers and duties; and creating an Advisory Committee to advise and assist the Director.

Was taken up.

Mr. Thompson of Crenshaw offered the following substitute for the bill, H. 5:

A BILL TO BE ENTITLED AN ACT

To provide for civil defense: Creating an Office of Civil Defense; providing for a Director of Civil Defense, prescribing his powers and duties; and creating an Advisory Committee to advise and assist the Director.

Be It Enacted by the Legislature of Alabama:

Section 1. The purpose of this Act is to minimize the effects upon the civilian population of any emergency resulting from enemy action or sabotage, or from fire, floods, earthquake or other natural causes, and to maintain and restore civilian communities, plants, utilities and other installations essential to civil life.

Section 2. There is hereby created an Office of Civil Defense. The

chief executive officer of the Office of Civil Defense shall be the Director of Civil Defense.

Section 3. The Director shall be appointed by and shall hold office at the pleasure of the Governor.

Section 4. The Director is authorized in the name of the Governor to exercise all the powers and prerogatives vested by law in the Governor in dealing with any emergency resulting from enemy action or sabotage, fire, floods, earthquake, or other natural causes, when such emergency is declared to exist by the Governor.

Section 5. The Director shall supervise and be responsible for the planning, organization, training, mobilization, and direction of all civil defense personnel, facilities and activities.

Section 6. Subject to the approval of the Governor, the Director is authorized to establish an adequate organization to assist in supervising and coordinating the civilian defense activities of the State government and of all of the political subdivisions of the State and for that purpose the Director is authorized and empowered to establish and operate such district and regional offices as may be necessary.

Section 7. All officers and employees of the Office of Civil Defense and district and regional officers and employees shall be appointed by the Director subject to the provisions of the State Merit Systems.

Section 8. The Governor shall appoint an Advisory Committee to advise the Director and assist him in formulating policy. Members of the Committee shall be persons familiar with and representative of each of the following fields: government, transportation, organization and management, communications, public works, engineering, public health, medicine, chemistry, public welfare, police protection and fire protection. The members of the Committee shall serve at the pleasure of the Governor. The Governor shall serve as the chairman of the Committee. The Committee shall meet upon the call of the Governor. The Director of Civil Defense shall be the Secretary of the Committee.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Denton	Howell	Robinson
Adams (Dale)	Dobbs (Fayette)	Inzer	Sellers
Adams (Jefferson)	Duffee	Larkins	Shelton
Armstrong	Dumas	Lovelace	Shirley
Benford	Dyar	McClendon	Sightler
Black	Ganey	McDonald	Stewart
Brannan	Garrett	McGowin	Taylor (Autauga)
Brassell	George	Martin	Taylor (Hale)
Brown	Gibson	Merrill	Thagard
Buckner	Gillis	Miller	Thompson (Crenshaw)
Busby	Givhan	Molette	Thompson (Pike)
Bush	Hankins	Morring	Wallace
Coburn	Hardy	Nettles	Ward
Cox	Harris	O'Neal	Weaver
Crocker	Haynes (Lowndes)	Pinkston	White (Perry)
Crook	Hornsby	Roberts	

And the bill, H. 5, as thus amended, was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Denton	Howell	Sellers
Adams (Dale)	Duffee	Larkins	Shelton
Adams (Jefferson)	Dumas	Lovelace	Shirley
Armstrong	Dyar	McClendon	Sightler
Benford	Faulk	McDonald	Stewart
Black	Ganey	McGowin	Taylor (Autauga)
Brannan	Garrett	Martin	Taylor (Hale)
Brassell	George	Merrill	Thagard
Brown	Gibson	Miller	Thompson (Crenshaw)
Buckner	Gillis	Molette	Thompson (Pike)
Busby	Givhan	Morring	Wallace
Bush	Hankins	Nettles	Ward
Coburn	Hardy	O'Neal	Weaver
Cox	Harris	Pinkston	White (Covington)
Crocker	Haynes (Lowndes)	Roberts	White (Perry)
Crook	Hornsby	Robinson	

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BILLS ON THIRD READING

H. 23. For the relief of the widow of P. P. Wilson.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Crook	Inzer	Roberts
Adams (Dale)	Duffee	Larkins	Robinson
Armstrong	Dyar	Lovelace	Sadler
Benford	Evans	McClendon	Shelton
Black	Faulk	McDonald	Shirley
Brannan	Ganey	McGowin	Sightler
Brassell	Garrett	Malone	Stewart
Brown	George	Martin	Taylor (Autauga)
Buckner	Gibson	Merrill	Thagard
Busby	Gillis	Miller	Thompson (Crenshaw)
Bush	Givhan	Molette	Thompson (Pike)
Callahan	Hardy	Morring	Wallace
Coburn	Harris	Nettles	Ward
Cox	Haynes (Lowndes)	O'Neal	Weaver
Crocker	Howell	Pinkston	White (Covington)

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And the bill:

H. 24. For the relief of the next of kin of Eugene Ogburn.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Benford	Bush	Crocker
Adams (Dale)	Black	Callahan	Crook
Adams (Jefferson)	Brassell	Coburn	Denton
Armstrong	Buckner	Cox	Dobbs (Fayette)

Dyar	Howell	Morring	Stewart
Evans	Inzer	O'Neal	Stone
Faulk	Larkins	Pfleger	Taylor (Autauga)
Ganey	Lovellace	Pinkston	Taylor (Hale)
Garrett	McClendon	Roberts	Thagard
Gibson	McDonald	Robinson	Thompson (Crenshaw)
Gillis	Malone	Sadler	Thompson (Pike)
Givhan	Martin	Sellers	Wallace
Hardy	Merrill	Shelton	Ward
Harris	Miller	Shirley	Weaver
Haynes (Lowndes)	Molette	Sightler	White (Perry)

—60

And the bill:

H. 26. Proposing an amendment to the Constitution of Alabama relating to Fayette County, and ordering an election thereon.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Duffee	McClendon	Shelton
Adams (Dale)	Dyar	McDonald	Shirley
Armstrong	Evans	McGowin	Sightler
Benford	Faulk	Malone	Stewart
Black	Ganey	Martin	Stone
Brannan	Garrett	Merrill	Sullivan
Brassell	Gibson	Miller	Taylor (Autauga)
Brown	Gillis	Molette	Taylor (Hale)
Buckner	Givhan	Morring	Thagard
Bush	Hardy	Nettles	Thompson (Crenshaw)
Callahan	Harris	O'Neal	Thompson (Pike)
Coburn	Haynes (Lowndes)	Pfleger	Wallace
Cox	Howell	Ramey	Ward
Crocker	Ingalls	Roberts	Weaver
Crook	Inzer	Robinson	White (Covington)
Denton	Larkins	Sellers	White (Perry)
Dobbs (Fayette)	Lovellace		

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H. 6 INDEFINITELY POSTPONED

On motion of Mr. Miller the bill, H. 6, was indefinitely postponed.

And the bill:

H. 7. To amend Section 766 of Title 51 of the Code of Alabama (1940) relating to the incorrect payment of sales taxes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Brassell	Dobbs (Fayette)	Hardy
Adams (Dale)	Buckner	Duffee	Harris
Adams (Jefferson)	Bush	Dyar	Haynes (Lowndes)
Armstrong	Callahan	Faulk	Hornsby
Beatty	Coburn	Ganey	Howell
Benford	Cox	Gibson	Larkins
Black	Crook	Gillis	Lovellace
Brannan	Denton	Givhan	McClendon

McDonald	Nettles	Shelton	Taylor (Hale)
McGowin	O'Neal	Shirley	Thagard
Malone	Pflegler	Sightler	Thompson (Crenshaw)
Martin	Ramey	Stewart	Thompson (Pike)
Merrill	Roberts	Stone	Wallace
Miller	Sadler	Sullivan	Ward
Molette	Sellers	Taylor (Autauga)	Weaver
Morring			

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And the bill:

H. 22. To amend Section 661 of Title 7 of the Code of Alabama (1940), which relates to the homestead exempted from administration and the payment of debts in favor of the widow and minor child or children; making the amendment retroactive.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Lovelace	Sadler
Adams (Dale)	Duffee	McClendon	Sellers
Adams (Jefferson)	Dyar	McDonald	Shelton
Armstrong	Ganey	McGowin	Shirley
Beatty	Gibson	Malone	Sightler
Benford	Gillis	Martin	Stewart
Black	Givhan	Merrill	Stone
Brannan	Hardy	Miller	Sullivan
Brassell	Harris	Molette	Taylor (Autauga)
Buckner	Haynes (Lowndes)	Morring	Taylor (Hale)
Bush	Hornsby	Nettles	Thagard
Callahan	Howell	O'Neal	Thompson (Pike)
Coburn	Ingalls	Pflegler	Wallace
Cox	Inzer	Ramey	Ward
Crook	Kaul	Roberts	Weaver
Denton	Larkins	Robinson	

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

By Mr. Thompson (Crenshaw):

H. 5. To provide for civil defense: Creating an Office of Civil Defense; providing for a Director of Civil Defense, prescribing his powers and duties; and creating an Advisory Committee to advise and assist the Director.

W. M. BECK,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

ADJOURNMENT

On motion of Mr. Stone the House adjourned until Friday, October 13, 1950, at ten o'clock A. M.

FIFTH DAY

House of Representatives,
Montgomery, Alabama,
Friday, October 13, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Henry L. Lyon, Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs (Fayette)	Kaul	Ramey
Adams (Dale)	Duffee	Larkins	Roberts
Adams (Jefferson)	Dumas	McClendon	Robinson
Armstrong	Dyar	McDanal	Sellers
Barnett	Evans	McDonald	Shelton
Beatty	Faulk	Malone	Shirley
Benford	Ganey	Martin	Sightler
Black	Garrett	Meeks	Still
Brassell	George	Merrill	Taylor (Autauga)
Brown	Gibson	Miller	Taylor (Hale)
Buckner	Gillis	Mitchell	Thagard
Busby	Givhan	Molette	Thomas
Bush	Hardy	Morring	Thompson (Crenshaw)
Callahan	Harrison	Norman	Thompson (Pike)
Coburn	Haynes (Franklin)	O'Neal	Wallace
Cole	Haynes (Lowndes)	Pflegler	Ward
Cox	Howell	Pinkston	Weaver
Crook	Ingalls	Pinson	White (Perry)
Denton	Inzer	Pruitt	Wood (Bibb)

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fourth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Fourth Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Fourth Legislative Day was approved.

BILLS ON SECOND READING

Mr. Miller, Vice-Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Messrs. Miller and Ganey:

H. 66. To fix the salary of the State Superintendent of Education.

By Mr. Wallace:

H. 35. To provide for educational benefits to children and widows of deceased veterans; to provide for educational benefits for the children, wives and veterans who are suffering from a 40% or more service-connected disability; and to provide for correspondence and extension courses for veterans.

By Mr. Wallace:

H. 36. To create the State Medical Education Board; to prescribe its duties; and to provide for loans and scholarships to students desiring to study medicine.

By Messrs. Miller and Beck:

H. 62. To amend Section 1 of Act No. 301, S. 222, approved August 14, 1947, which Act makes annual appropriations to provide old age assistance to certain retired school teachers.

By Messrs. Beck and Miller:

H. 63. To make a deficiency appropriation to the Teachers' Special Pension Fund created by, or provided for in, Act No. 209, S. 62, approved July 7, 1945, and Act No. 301, S. 222, approved August 14, 1947, to supplement the benefits paid under said Acts.

Mr. Merrill, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

By Messrs. Merrill, Martin, and Lovelace (with amendment):

H. 51. Relating to powers of committees of the Legislature of Alabama or of either House thereof; empowering legislative committees to investigate any subject respecting which they may desire information in aid of the proper discharge of their functions; providing for the compulsory attendance of witnesses; prescribing penalties for contempts and false swearing.

Mr. Merrill, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Messrs. Taylor (Autauga), Merrill, Martin and Lovelace:

H. 54. To make a transfer of funds appropriated to the use of the Legislative Reference Service for expenses to the Service's appropriation for salaries.

By Mr. Benford:

H. 42. To repeal Act No. 263, S. 403, approved July 22, 1949 (Acts of Alabama, 1949, page 388), entitled "An Act To prohibit any person who carries mail under a contract with the United States from carrying passengers; to apply in and only in counties having a population of not less than 36,500 nor more than 42,400 inhabitants according to the most recent federal census."

By Mr. Dumas:

H. 50. To provide that the tax anticipation bonds, warrants or certificates of indebtedness issued pursuant to a constitutional amendment proposed by Act No. 570 of 1949, General Acts of Alabama of 1949, pp. 897-899, submitted December 13, 1949, and proclaimed ratified December 21, 1949, are authorized investments for any fiduciary.

By Messrs. Taylor (Autauga), Merrill, Martin and Lovelace:

H. 53. To establish within the Legislative Reference Service a Leg-

islative Fiscal Division, prescribing its powers and duties, and providing for its officers and employees.

By Mr. Beck:

H. 61. To make it unlawful for any person to display, handle, exhibit or use any poisonous or dangerous snake or reptile in such a manner as to endanger the life or health of another, and prescribing the punishment for violation of this Act.

By Messrs. Sullivan, Harris, Morring, Miller, Weaver, Stewart, Inzer, Coburn, O'Neal, Rogers, Roberts, Benford, Armstrong, Buckner:

H. 71. To ratify, confirm and validate the allocation and distribution heretofore made by the State of Alabama Building Commission of the sum of \$65,000.00 to each of the Regional Tuberculosis Sanatoria located in District No. 1 at Decatur, Alabama and in District No. 4, Etowah County, Alabama.

By Messrs. Wallace, Coburn, Merrill, Roberts, Harris and Givhan:

H. 72. To increase the compensation of the State Auditor, the Secretary of State and the State Treasurer to the extent of \$1200.00 per annum.

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Messrs. Roberts, Benford and Adams (Jefferson):

H. 57. To apportion the membership of the House of Representatives of the Legislature among the several counties of the State according to population under the Federal Census of 1950; and providing for the effective date of this Act.

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House without recommendation, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

By Mr. Wallace (without recommendation) (with amendment):

H. 37. To propose an amendment to the Constitution of Alabama.

The above bill was read a second time at length as required by the Constitution.

By Mr. Wallace (without recommendation) (with amendment):

H. 38. Proposing an amendment to Article VIII, Section 181 of the Constitution of Alabama, as amended, which relates to suffrage and elections; ordering a special election thereon and providing for the payment of expenses of holding the election.

The above bill was read a second time at length as required by the Constitution.

By Mr. Givhan (without recommendation) (with amendment):

H. 76. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

The above bill was read a second time at length as required by the Constitution.

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Messrs. Wallace, Adams (Dale), Merrill, White (Perry), Martin, Lovelace, Thomas and Brassell:

H. 34. To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor.

By Mr. Ingalls:

H. 73. To amend Section 543 of Title 51, Code of Alabama (1940), which relates to privilege licenses.

Mr. Thomas, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Mr. Coburn:

H. 28. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tusculumbia in Colbert County, Alabama.

By Mr. Buckner:

H. 32. To define, regulate and license barbers and barber colleges, and other like businesses in Cullman County, Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

By Mr. Evans:

H. 43. To alter, rearrange and extend the boundary lines of the Town of Butler, in Choctaw County, Alabama.

By Mr. Evans:

H. 44. Relating to Choctaw County: Levying a privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters, or from beneath the soil or waters, of Choctaw County; to require all parties engaged in severing such natural resources to keep and maintain full and complete records of the severance of such resources; to prescribe the method of collecting and enforcing the payment of such tax; to provide for the distribution of the taxes collected; to provide for penalties and punishment and for restraining orders for the violation of the terms and provisions of this Act.

By Mr. White (Covington):

H. 45. To impose extra, new and additional duties upon the President and associate members of the Board of Revenue of Covington County; to require an additional regular meeting of said board during each month; and to provide a monthly sum in payment of expenses for the performance of such extra duties and attendance upon said additional regular meeting.

By Mr. Buckner:

H. 46. Relating to Cullman County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

By Mr. Coburn:

H. 47. Relating to Colbert County, Alabama: To abrogate and abolish the criminal jurisdiction of justices of the peace and notaries

public ex-officio justices of the peace in Colbert County, Alabama, and to provide for proceedings of such causes in the Colbert Law and Equity Court of Colbert County, Alabama.

By Mr. Adams (Dale):

H. 48. To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Collector of the County.

By Mr. Adams (Dale):

H. 49. To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Assessor of the County.

By Messrs. Givhan, Hardy and Molette:

H. 58. To empower the governing body of the City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, to levy in said city, additional special privilege or license taxes paralleling, with like provisions in said city, such State of Alabama taxes as are levied by said State by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, except that only fifty per cent (50%) of the State levy provided by subdivisions (a), (b) and (c) of said Section 753 shall be made and shall be collected by said city; to provide a lien in favor of the City against the property of taxpayers liable for such taxes and to make the provisions of the Revenue Laws of the State of Alabama applicable to the enforcement of such liens; to provide that taxes which may be levied hereunder shall constitute a debt due said City and to provide methods of collection; to provide for the collection of such taxes by the Treasurer of said city and for reports to be made by taxpayers liable for such taxes; to provide that the Treasurer of said city as to the collection of such taxes shall have the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto; to provide for expenses of clerk hire and other expenses incurred by said city in collecting, handling and disbursing such taxes; to provide that the taxes which may be levied hereunder shall be in addition to all other licenses and taxes which may be levied by said city and a condition precedent to engaging in any business taxable hereunder, except as may be otherwise provided; to provide for the time and manner, method and provision for the collection of said taxes; to provide that such taxes which may be levied hereunder shall be added by the taxpayer to the sales price and collected from the purchaser on all sales affected hereby and to provide the method of determining the amounts to be added to sales and collected from the purchaser and to provide a penalty for failure or refusal to abide by such requirements; to provide for the allocation and use of the taxes which may arise hereunder; to provide penalties for failure to comply with the provisions of this act; and to provide the governing body of said city with authority to call and hold an election to submit to the qualified electors of said city the question as to whether or not such taxes shall be levied, the length of time such taxes shall run and the rate thereof; to provide when this act shall go into effect.

By Mr. Beck:

H. 64. To amend "An act to establish a county court for DeKalb County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County, Alabama, to the cases pending in said DeKalb County Court to the equity side of the Circuit

Court of DeKalb County, Alabama", acts No. 179, approved July 22, 1927, as amended, by amending Section 5 thereof to read as hereafter set out.

By Mr. Morring:

H. 65. Relating to the compensation of the judge of the Inferior Court of any municipality in the State which has a population of not more than 15,000 and not less than 13,000 inhabitants.

By Messrs. Ward and Brown:

H. 67. Relating to Lee County: To authorize the governing body of Lee County to levy and collect a privilege tax on all persons, corporations, firms, companies, agencies, and associations selling, delivering, withdrawing from storage, or keeping in storage for sale or delivery in such County, gasoline, naptha, and other liquid motor fuel or any substitute therefor commonly used in internal combustion engines, but not including kerosene, fuel oil, or crude oil commonly used for lighting, heating, or industrial purposes; providing exemptions from such levy and for the use of the revenues derived from the tax; making the operation of the Act contingent upon the results of a referendum; directing and requiring the county governing body to provide for holding an election relative to the levying of such tax.

Mr. Meeks, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Messrs. Taylor (Autauga), Shirley, Martin, Head, Inzer, Miller and Meeks:

H. 40. To provide a continuous, coordinated, and integrated system of corrections: creating the State Department of Corrections and abolishing the existing Department of Corrections and Institutions; establishing within the new department the State Board of Corrections and the office of Commissioner of Corrections; providing for a study of the juvenile court system and the reformatories and training schools of the State.

By Messrs. Duffee, Beatty and Gibson:

H. 74. To amend Section 1 of Act No. 607, S. 202, approved October 9, 1947 (General Acts of Alabama, 1947, page 456) entitled "An Act To make an annual appropriation to provide a retirement benefit to any State employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee; and to provide a supplement to the retirement benefit of any state employee who had attained age 60 on October 1, 1945, and who is or will be retired under the provisions of Act 515, approved July 9, 1945 with a minimum of 15 years of service as a state employee, and who is not entitled under the provisions of said Act 515 to receive a retirement benefit in excess of \$60.00 per month; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund appropriated by this act."

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Wood (Bibb) and Pruitt:

H. 77. To provide for the transportation in school busses of student participants or contestants to and from school activities.

Education.

By Mr. Coburn (with notice and proof):

H. 78. Relating to Colbert County, Alabama: To fix the payment of compensation to the Tax Assessor of Colbert County and Tax Collector of Colbert County for the assessing and collecting of municipal taxes for the municipalities in Colbert County, Alabama at one and one-half per cent for the assessing of said taxes and one and one-half per cent for the collecting of said taxes.

Local Legislation.

Notice and Proof H. B. 78:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Colbert County, Alabama: To fix the payment of compensation to the Tax Assessor of Colbert County and Tax Collector of Colbert County for the assessing and collecting of municipal taxes for the municipalities in Colbert County, Alabama at one and one-half per cent for the assessing of said taxes and one and one-half per cent for the collecting of said taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. That the compensation of the Tax Assessor of Colbert County and the Tax Collector of Colbert County for assessing and collecting ad valorem municipal taxes for the municipalities in Colbert County, Alabama is hereby fixed at one and one-half percent for the assessing of said taxes and one and one-half percent for the collecting of said taxes.

Section 2. All laws and parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall go into effect upon its approval by the Governor.

9-14-4tc

STATE OF ALABAMA COLBERT COUNTY

Before me, M. D. Duke, a notary public in and for said county, in said state, personally appeared W. F. Miller, who being by me first duly sworn, deposes and says:

That he is the publisher of Colbert County Reporter, a newspaper published at Tuscumbia, Colbert county, Alabama, and that said Colbert County Reporter is a newspaper of general circulation in Colbert county, Alabama, and that the Notice Of the local bill, copy of which is hereto attached, was published in said newspaper, Colbert County Reporter, for four consecutive weeks, to-wit:—in the issues dated September 14, 21, 28 and October 5, 1950, and that each of said above issues was duly circulated among the subscribers of said newspaper, which said newspaper has been mailed under a second class mailing privilege of the United States Post Office where it is published for fifty-two (52) consecutive weeks prior to the publication of the above stated bill, and that said publication was without cost to the State of Alabama.

W. F. MILLER,

Publisher of Colbert County Reporter.

Sworn to and subscribed before me this 9th day of October, 1950.

M. D. DUKE,
Notary Public.

By Mr. Coburn:

H. 79. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Colbert County, validating Act No. 485 of the General Acts of the regular 1949 session of the Alabama Legislature.

Local Legislation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Miller:

H. 80. To authorize the allocation and disbursement of Federal funds deposited in the State Treasury of Alabama for educational purposes to county and city boards of education to meet anticipated monthly current operation obligations in accordance with laws and regulations governing the expenditure of such funds as certified to by the State Superintendent of Education.

Education.

By Mr. O'Neal (with notice and proof):

H. 81. To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; providing for the employment of a Supervisor of Roads; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County.

Local Legislation.

Notice and Proof H. B. 81:

NOTICE

STATE OF ALABAMA COUNTY OF JACKSON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; providing for the employment of a Supervisor of Roads; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County.

Be It Enacted by the Legislature of Alabama:

Section 1. A Board of Revenue of Jackson County is hereby created. The Court of County Commissioners of Jackson County is abolished.

Section 2. Until the first Monday after the second Tuesday in January, 1953, the Jackson County Board of Revenue shall consist of the four incumbent members of the Jackson County Court of County Commissioners and the Probate Judge of Jackson County, who shall serve as chairman of the Board. As members and chairman of the Board of Revenue, such incumbent members of the Court of County Commissioners and the Probate Judge shall receive the same compensation as they now receive as judges of the Court of County Commissioners.

Section 3. At the general election in November, 1952, and every four years thereafter, the qualified electors of Jackson County shall elect from the county at large a chairman of the Board of Revenue and a member of the Board of Revenue for each of the four commissioners' districts in the county as they are now constituted. A candidate for

chairman of the Board must be a qualified elector and legal resident of Jackson County. Each candidate for associate member of the Board must be a qualified elector and legal resident of the district which he seeks to represent. The chairman and members of the Board shall assume office the first Monday after the second Tuesday in January, 1953, and every four years thereafter. They shall hold office for a term of four years and until their successors are elected and qualified. The chairman shall be paid a monthly salary not to exceed two hundred fifty dollars (\$250) per month, to be paid from the county treasury, the exact amount to be fixed by the Board, and he shall receive no other compensation except as may be specifically provided herein. Each member of the Board shall receive ten dollars (\$10) for each day's service, not to exceed forty dollars (\$40) per month, and travel expenses of five cents per mile travelled in attending regular and special meetings of the Board.

Section 4. The chairman and each member of the Board shall, before entering upon the duties of his office, take the statutory oath of office and make and file with the Judge of Probate a bond, with good and sufficient sureties, payable to Jackson County, and conditioned upon the faithful performance of the duties of his office. The bond of the chairman is hereby fixed at five thousand dollars (\$5,000); the bond of each other member shall be one thousand dollars (\$1,000). In the case of a vacancy on the Board, such vacancy shall be filled by appointment by the Governor for the unexpired term. Neither the chairman nor any member of the Board shall hold any other remunerative public office.

Section 5. The Board shall hold regular meetings on the fourth Monday in each month, remaining in session as many days as may be necessary, and may hold special meetings at the call of the chairman. Meetings of the Board shall be held at the Jackson County courthouse. Action in the name and under the authority of the Board may be taken by a majority of the Board present and voting at any regular or special meeting, provided at least a quorum is in attendance. A quorum shall consist of the chairman and two members or three members other than the chairman.

Section 6. The Board shall have the same powers, duties, limitations, and responsibilities, insofar as they are consistent with other provisions of this act, as have courts of county commissioners. It shall be the further duty of the Board to publish before the fifteenth day of each month, in some newspaper published in the county, an itemized statement of the receipts and disbursements of all funds of Jackson County during the preceding month and the balances remaining in each fund at the close of the month. Such itemized statement shall show each item paid and shall indicate to whom and for what purpose each item was paid. The compensation paid for the publication of such itemized statement shall not exceed one-and-one-half cents per word. If the Board shall refuse to publish the itemized statement, each member thereof, including the chairman, who votes against the publication shall be subject to a penalty of fifty dollars (\$50). If the Board otherwise fails without good cause to publish the itemized statement, each member thereof, including the chairman, shall be subject to a penalty of one hundred dollars (\$100) for each such failure. Such penalties shall be collected upon suit brought by the circuit or county solicitor in the name of the county.

Section 7. The Board shall obtain written, sealed, competitive bids for all purchases of supplies, material, equipment and contractual services when the amount involved is \$100.00, or more. Invitations for bids shall be posted on a bulletin board in the county courthouse and sent to prospective suppliers at least five calendar days before the final date for submitting bids. Bids shall be opened publicly by the Board at a time and place stated in the invitations. The Board shall award the

purchase to the lowest responsible bidder, or reject all bids and renegotiate the purchase if the public interest will be served thereby. In the event of an emergency making it necessary that supplies, material, equipment, or contractual services be purchased immediately, the invitation for bids may be dispensed with and the necessary items or services may be purchased on the open market. However, in no event shall the price paid for supplies, material, or equipment purchased by, or on the behalf of the Board exceed the price at which the same property could be purchased through the Division of Purchases and Stores of the State Department of Finance. To create a binding contractual obligation on the part of the Board a purchase made by or on the behalf of the Board must have the approval of the Board prior to the actual consummation of the purchase, which must appear in the minutes of the Board. In the event of an emergency necessitating an immediate purchase it will be sufficient to make the purchase binding upon the Board if the purchase is made by an authorized person, if the purchase meets all other requirements of this section, and if a detailed, written report of the purchase is filed with the Board within three days after the purchase is made. Neither the chairman nor any member of the Board, nor any employee of Jackson County shall be directly or indirectly interested in any purchase, contract for purchase, or lease of personal property made by or on behalf of Jackson County.

Section 8. After the first Monday following the second Tuesday in January, 1953, the chairman of the Board shall be required to give his entire time and attention to the business of the Board. He shall sign all warrants or orders for disbursements of money from the county treasury. It shall be the duty of the chairman to receive and prepare the business of, and to obtain information for meetings of the Board for the purpose of dispatching the work of the Board. The chairman shall see to the execution of all orders of the Board and after the first Monday following the second Tuesday in January, 1953, he shall personally keep the books and records of the Board. He shall enter the minutes of all proceedings of the Board in a well-bound book, which shall be provided for that purpose, within five days from the adjournment of every regular or special meeting. The minute book shall be kept in the office of the Board and shall be open to public inspection at all reasonable hours. The chairman of the Board shall keep a complete record of all receipts and disbursements of county funds and must be prepared at all times to show the exact financial condition of the county. After the first Monday following the second Tuesday in January, 1953, the chairman of the Board shall not employ a bookkeeper or other clerical assistant.

Section 9. The Board must within 30 days after passage of this Act employ a Supervisor of Roads and Bridges for Jackson County, subject to the confirmation of the members of the Alabama House of Representatives from Jackson County and the State Senator from the Fifth Senatorial District. The Supervisor shall receive a salary to be determined by the Board not to exceed three hundred dollars (\$300) per month, and in addition therefore he shall be paid five cents per mile plus his actual expenses while traveling on official business. The Board may discharge the Supervisor for cause and with the approval of the members of the Alabama House of Representatives from Jackson County and the State Senator from the Fifth Senatorial District. The Supervisor shall have the duty of supervising the constructing, repairing and maintaining of roads and bridges in the county. He must have had not less than three years of practical experience in road building and he must be qualified otherwise to perform the work of his office. He shall have complete charge of the road and bridge employees of the county, including their selection, compensation, supervision and dismissal. No person employed by the Supervisor shall be related to him or the chairman of any member of the Board within the third degree of consanguin-

ity, computed by the rules of civil law, by blood or marriage. Should the Supervisor employ any such relative he shall be guilty of a misdemeanor and, on conviction, shall be fined not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500). The Supervisor shall give such bond as the Board may require and shall be responsible to the Board for his actions. The Supervisor shall advise the Board in regard to the purchase, lease, or contract for, of all machinery, material, supplies, and equipment necessary in the discharge of his responsibility for the roads and bridges of Jackson County and he shall be charged with the care and maintenance of such machinery, material, supplies, and equipment. All changes in roads and bridges in the county must be approved by the Board.

Section 10. The chairman of the Board shall, from time to time, inspect the roads and bridges of Jackson County and, with the advice and assistance of the members of the Board, generally supervise the work done thereon. For such inspection and supervision, he shall be paid reasonable expenses approved by the Board.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 12. All laws or parts of laws in conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA JACKSON COUNTY

Before me, C. O. Reed, a Notary Public in and for said county and state, personally appeared P. W. Campbell, who is known to me to be the publisher of The Jackson County Sentinel, a newspaper published at Scottsboro, Jackson County, Alabama, who states under oath that the attached Notice of Special Legislation to create a Board of Revenue for Jackson County, Alabama, was published in the Jackson County Sentinel for four consecutive issues, beginning with the issue of Tuesday, September 12, 1950, the four issues being Sept. 12, Sept. 19, Sept. 26, and Oct. 3, 1950.

P. W. CAMPBELL,
Publisher Jackson County Sentinel.

Sworn to and subscribed before me this 10th day of Oct., 1950.

C. O. REED,
Notary Public.

By Messrs. Garrett and Givhan:

H. 82. To repeal Section 66 of Title 2, Code of Alabama of 1940 which relates to the sale of commercial feed in Alabama.

Agriculture.

By Mr. Pinkston:

H. 83. To amend Section 6 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819), which establishes a county-wide personnel system for all counties of the state having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

Local Legislation.

By Mr. Larkins:

H. 84. To amend Section 298 of the Code of Alabama (1940), which relates to the minimum age at which children may enter school.

Education.

By Mr. Thompson (Pike):

H. 85. To prohibit the reckless driving of motor vehicles and other vehicles in this State, and to provide for the punishment for reckless driving upon conviction of the first offense, second offense, and third or more offenses.

Judiciary.

By Mr. Thompson (Pike):

H. 86. To prohibit persons under the influence of intoxicating liquors from driving motor vehicles; to provide that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference thereto; to make it unlawful to drive a motor vehicle while under the influence of any narcotic drug, and to provide for the punishment for any violation of the provisions of this Act, and for revocation of driver's license for violation thereof.

Judiciary.

By Messrs. Callahan and Shelton:

H. 87. To make an additional appropriation to the Board of Trustees of the Alabama Insane Hospitals for the use of the Alabama Insane Hospitals and the Partlow State School for Mental Deficients for the fiscal year ending September 30, 1951.

Ways and Means.

By Mr. Ingalls:

H. 88. To amend Section 542 of Title 51, Code of Alabama 1940, which relates to privilege license on laundried towels, aprons, etc., rented.

Judiciary.

By Mr. Ingalls:

H. 89. To amend Section 543 of Title 51, Code of Alabama (1940), which relates to privilege licenses.

Judiciary.

By Messrs. Brown and Ward (with notice and proof):

H. 90. Relating to Lee County: To authorize the governing body of Lee County to levy and collect a privilege tax on all persons, corporations, firms, companies, agencies, and associations selling, delivering, withdrawing from storage, or keeping in storage for sale or delivery in such County, gasoline, naptha, and other liquid motor fuel or any substitute therefor commonly used in internal combustion engines, but not including kerosene, fuel oil, or crude oil commonly used for lighting, heating, or industrial purposes; providing exemptions from such levy and for the use of the revenues derived from the tax; making the operation of the Act contingent upon the results of a referendum; directing and requiring the county governing body to provide for holding an election relative to the levying of such tax.

Local Legislation.

Notice and Proof H. B. 90:

NOTICE

STATE OF ALABAMA COUNTY OF LEE

Notice is hereby given that at the 1950 Extra session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lee County: To authorize the governing body of Lee County to levy and collect a privilege tax on all persons, corporations, firms, companies, agencies, and associations selling, delivering, with-

drawing from storage, or keeping in storage for sale or delivery in such County, gasoline, naphtha, and other liquid motor fuel or any substitute therefor commonly used in internal combustion engines, but not including kerosene, fuel oil, or crude oil commonly used for lighting, heating, or industrial purposes; providing exemptions from such levy and for the use of the revenues derived from the tax, making the operation of the Act contingent upon the results of a referendum; directing and requiring the county governing body to provide for holding an election relative to the levying of such tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Lee County may levy, in addition to all other taxes now imposed by law, upon every distributor, refiner, retail dealer, or storer of gasoline an excise tax of not more than two cents per gallon upon the selling, distributing, storing, or withdrawing from storage in said county, for any use, gasoline, naphtha, or other liquid motor fuel or any substitute therefore commonly used in internal combustion engines, but not including kerosene oil, fuel oil, or crude oil commonly used for lighting, heating, or industrial purposes.

Section 2. The governing body of Lee County shall provide rules and regulations and the necessary administrative machinery for the collection of such privilege tax, and provide penalties for the violation of such rules and regulations.

Section 3. The governing body of Lee County shall issue certificates of exemption for use by the United States or any agency thereof in purchasing gasoline within the county if the gasoline purchased is paid for and used by the United States of America or any agency thereof. Any person, corporation, firm, company, agency, or association reporting and paying the tax herein provided for may deduct the number of gallons sold to the United States as shown by exemption certificates filed with the report.

Section 4. The revenue derived from the tax herein provided for, less the cost of collection, shall be used for the purpose of constructing and maintaining public roads, streets, bridges, and highways in Lee County.

Section 5. The governing body of Lee County is directed and required to call and provide for holding an election for the qualified electors of the county at which there shall be submitted to the qualified electors participating therein the following question: "Do you favor a county tax of not more than two cents per gallon on gasoline, the proceeds of which shall be used solely for the purpose of constructing and maintaining public roads, streets, bridges, and highways in Lee County?"

The election shall be held as nearly as may be in the same manner as are constitutional amendment elections, and shall be held on the first Tuesday after the expiration of thirty days from the effective date of this Act, or on another day fixed by the governing body of the county. The expense of holding the election shall be paid for by the county out of its general fund. In the event a majority of the electors who participate in the election vote in the affirmative on the issue submitted, this Act shall become operative immediately. If a majority of the electors vote negatively on the issue, this Act shall have no further force or effect.

(Adv. Sept. 19-26—Oct. 3-10)

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Wilson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Opelika Daily News, a newspaper of general circu-

lation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 19, Sept. 26, Oct. 3, and Oct. 10, all in the year 1950.

W. H. WILSON.

Sworn to and subscribed before me October 10, 1950.

RUTH CLEGG,
Notary Public.

By Mr. Dumas:

H. 91. To make an appropriation of one hundred ten thousand dollars (\$110,000) for the purchase, renovation, and redecoration of the house and lot at 1108 South Perry Street, Montgomery, Alabama, as the mansion for occupancy by the Governor.

Local Government.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Cater (by request):

S. 12. To provide supernumerary solicitors of the state; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation, and the method of removal from office of such supernumerary circuit solicitors, and to appropriate funds for the payment of such compensation.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 12—Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 16. Extending invitation to Miss Ann Adams, 1951 Alabama Maid of Cotton, to visit the Capitol and present session of the Legislature.

Also:

H. J. R. 18. Relative to adjournment of the two Houses until Friday, October 13th at 10 o'clock A. M.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 15. Naming H. J. R. 4 the McGowin-Morrison Resolution.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S. J. R. 15. Be it resolved by the Senate, the House concurring, That the Legislature, having heretofore invited the lovely and charming Maid of Cotton to visit the Capitol and the City of Montgomery during the present session, now wishes to honor Miss America, the beautiful Miss Yolande Betbeze of Mobile, by cordially extending to her an invitation to visit the Capitol during the session, and the privileges of the floor of both houses are hereby extended to her.

Be it further resolved, That a duly enrolled copy of this Resolution be transmitted to Miss Betbeze by the Secretary of State.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell the rules were suspended and the House concurred in and adopted the S. J. R. 15 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions your signature thereto is requested.

S. J. R. 9. Relative to Recognizing the contributions of the Alabama Agricultural and Mechanical College for Negroes, and expressing our appreciation to Dr. J. F. Drake and his associates for their leadership and untiring efforts for the best development of the College.

Also:

S. J. R. 12. Relative to expressing profound grief in the passing of Forrest G. Bridges.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and Passed the following bill and sends same herewith to the House.

By Mr. Patton:

S. 2. To prohibit persons under the influence of intoxicating liquors from driving motor vehicles; to provide that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference thereto; to make it unlawful to drive a motor vehicle while under the

influence of any narcotic drug, and to provide for the punishment for any violation of the provisions of this Act, and for revocation of driver's license for violation thereof.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 2—Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 19. Congratulating Miss Yolande Betbeze as Miss America and extending best wishes to her from the people from this State.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S. J. R. 14. Be it Resolved by the Senate, the House Concurring, that the Legislature do adjourn sine die.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The motion of Mr. Norman to suspend the rules in order to bring up for immediate consideration the above and foregoing S. J. R. 14 was lost.

Yeas 28; Nays 20.

Yeas:

Messrs.:	Faulk	Malone	Pinson
Adams (Jefferson)	Ganey	Martin	Pruitt
Beatty	Givhan	Meeks	Robinson
Brown	Hardy	Molette	Sellers
Crook	Harrison	Morring	Sightler
Denton	Haynes (Lowndes)	Norman	Taylor (Hale)
Dumas	Kaul	Pfleger	Thagard
Dyar			

—28

Nays:

Mr. Speaker	Dobbs (Fayette)	McDonald	Taylor (Autauga)
Benford	George	Merrill	Thompson (Crenshaw)
Brassell	Haynes (Franklin)	O'Neal	Thompson (Pike)
Callahan	Howell	Shelton	Wallace
Coburn	Inzer	Shirley	Weaver

—20

And said resolution S. J. R. 14 was read and referred to the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Givhan:

H. J. R. 20. Be it resolved by the House, the Senate Concurring, That when the two Houses adjourn today, they adjourn to meet again at 10 a.m. on Tuesday, October 24.

Be it further resolved that the members shall not be entitled to compensation during the recess provided for herein.

The motion of Mr. Givhan to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 20 was lost.

Yeas 28; Nays 23.

Yeas:

Messrs.:	Ganey	Malone	Pinson
Beatty	Gibson	Martin	Pruitt
Brown	Givhan	Miller	Robinson
Crook	Hardy	Molette	Sellers
Denton	Harrison	Morring	Taylor (Hale)
Dumas	Haynes (Lowndes)	Norman	Thagard
Dyar	Kaul	Pfleger	Wallace
Faulk			

—28

Nays:

Mr. Speaker	Coburn	Inzer	Shirley
Adams (Jefferson)	Dobbs (Fayette)	McDonald	Taylor (Autauga)
Armstrong	Garrett	Merrill	Thompson (Crenshaw)
Benford	George	O'Neal	Thompson (Pike)
Brassell	Haynes (Franklin)	Ramey	Weaver
Callahan	Howell	Shelton	

—23

And said resolution H. J. R. 20 was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Brassell, Benford, Coburn, Howell, Dobbs (Fayette), Weaver, McDanal, Taylor (Autauga), Haynes (Franklin), Cole, Busby, Sightler, Inzer, Miller, Ganey, Shelton, Ramey, Larkins, Thomas, Cox and Dyar:

H. J. R. 21. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that in accordance with the Amendment to the Constitution proposed by General Act No. 384 of the 1945 Legislature of Alabama and ratified by the people in the November 1946 election, each member of the Legislature, in addition to his travel allowance, shall be allowed expenses, other than actual expenses of traveling, incurred in the performance of his duties, the sum of \$10.00 per day; and the State Comptroller shall draw warrants in the sum of \$10.00 per day for eleven days to cover the expenses of each member of the Legislature, which expenses were incurred in the prior fiscal year. Said warrants to be drawn against the current appropriation to the Legislature for the fiscal year ending September 30, 1951.

The motion of Mr. Brassell to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 21 was lost.

Yeas 37; Nays 14.

Yeas:

Mr. Speaker	Dyar	McDonald	Sightler
Adams (Jefferson)	Ganey	Martin	Still
Armstrong	Garrett	Miller	Taylor (Autauga)
Benford	George	Molette	Taylor (Hale)
Brassell	Haynes (Franklin)	O'Neal	Thomas
Buckner	Howell	Pinson	Thompson (Crenshaw)
Callahan	Inzer	Ramey	Wallace
Coburn	Larkins	Roberts	Ward
Cox	McDanal	Shelton	White (Perry)
Dobbs (Fayette)			

—37

Nays:

Messrs.:	Faulk	Haynes (Lowndes)	Pruitt
Beatty	Gibson	Kaul	Robinson
Crook	Givhan	Malone	Thagard
Dumas	Harrison	Meeks	

—14

And said resolution H. J. R. 21 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Gullledge:

S. 20. To amend Section 31 of Title 17 of the Code of Alabama (1940), which relates to the examination of applicants for registration as voters.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 20—Constitution and Elections.

BILLS ON THIRD READING

H. 33. To appropriate an additional twenty-five thousand dollars to the Alabama Milk Control Board for the fiscal year ending September 30, 1951.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 1.

Yeas:

Mr. Speaker	Coburn	George	Howell
Armstrong	Crook	Gibson	Ingalls
Benford	Denton	Givhan	Inzer
Black	Dobbs (Fayette)	Hardy	Larkins
Brassell	Dyar	Harrison	McDonald
Brown	Faulk	Haynes (Franklin)	Malone
Buckner	Ganey	Haynes (Lowndes)	Martin
Callahan	Garrett	Hornsby	Meeks

Merrill	Pinkston	Shirley	Thompson (Crenshaw)	
Miller	Pinson	Sightler	Thompson (Pike)	
Molette	Pruitt	Still	Wallace	
Morring	Ramey	Taylor (Autauga)	Ward	
Norman	Robinson	Taylor (Hale)	Weaver	
O'Neal	Sellers	Thagard	Wood (Bibb)	
Pflegler	Shelton	Thomas		—59
<i>Nays:</i>	Mr. Gillis			—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cater:

S. J. R. 17. BE IT RESOLVED by the Senate, the House concurring, that the Legislature has received information that Miss Nell Rankin of Montgomery, Alabama, the lovely, talented daughter of Mr. Allen C. Rankin and the late Eugenia Knabe Rankin, competing with opera singers from all over the world in the International Artists Contest recently held in Geneva, Switzerland has been awarded first prize; that in doing so she has brought not only renown to herself but also to her home town of Montgomery and the whole state of Alabama.

BE IT FURTHER RESOLVED that the Legislature of Alabama does sincerely congratulate Miss Rankin on this achievement and wishes for her much success in her future operatic efforts.

BE IT FURTHER RESOLVED that the Secretary of State be directed to transmit forthwith a duly authenticated copy of this Resolution to Miss Rankin.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Ingalls the rules were suspended and the House concurred in and adopted the S. J. R. 17 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Inzer:

H. J. R. 22. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again Wednesday, October 18, 1950, at 12 o'clock Noon.

On motion of Mr. Inzer the rules were suspended and H. J. R. 22 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 15. Relative to designating H. J. R. No. 4 as the McGowin-Morring Resolution.

Also:

H. J. R. 16. Relative to honoring Miss Ann Adams, the chosen 1951 Alabama Maid of Cotton.

Also:

H. J. R. 19. Relative to congratulating Miss Yolande Betbeze, the first lady of Alabama to be named Miss America.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Harvey:

S. 40. Proposing an amendment to the Constitution of Alabama relating to Blount County, and ordering an election thereon.

Also:

By Mr. Gullledge:

S. 22. Proposing an amendment to Section 106 of Article IV of the Constitution of Alabama, which relates to publishing notice of the intention to apply for the enactment of special, private, or local laws.

Also:

By Messrs. Henderson and Clayton:

S. 9. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector; ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature; and making an appropriation to pay the expenses of holding the election.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, each proposing an amendment to the Constitution, were severally read one time at length, and referred to appropriate Standing Committees as follows:

S. 40—Local Legislation.

S. 22—Constitution and Elections.

S. 9—Constitution and Elections.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Kimbrell:

S. 34. Proposing an amendment to the Constitution of Alabama relating to Fayette County, and ordering an election thereon.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, proposing an amendment to the Constitution, was read one time at length, and referred to the Standing Committee on Local Legislation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Joint Resolution, your signature hereto is requested:

S. J. R. 15. Relative to inviting Miss Yolande Betbeze, Miss America, to visit the Capitol in the City of Montgomery, Alabama, while the present Legislature is in session.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 22. Relative to adjournment of the two Houses until Wednesday, October 18, 1950 at 12 o'clock noon.

J. E. SPEIGHT,
Secretary.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:05 P. M. on October 13, 1950.

H. J. R. 15.

H. J. R. 16.

H. J. R. 19.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. McDanal, the House adjourned until Wednesday, October 18, 1950, at twelve o'clock noon.

SIXTH DAY

House of Representatives,
Montgomery, Alabama,
Wednesday, October 18, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. C. M. Ellisor, District Superintendent, Alabama Methodist Episcopal Conference, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs (Fayette)	Knight	Ramey
Adams (Dale)	Duffee	Larkins	Richardson
Adams (Jefferson)	Dumas	Lovelace	Roberts
Armstrong	Dyar	McClendon	Robinson
Barnett	Evans	McDonald	Sellers
Beatty	Faulk	Malone	Shelton
Benford	Ganey	Martin	Shirley
Black	Garrett	Mathison	Sightler
Brannan	George	Meeks	Stone
Brassell	Gibson	Merrill	Taylor (Autauga)
Broadwater	Gillis	Miller	Taylor (Hale)
Brown	Hankins	Molette	Thagard
Buckner	Hardy	Morring	Thompson (Crenshaw)
Callahan	Haynes (Franklin)	Nelson	Thompson (Pike)
Coburn	Haynes (Lowndes)	Nettles	Wallace
Cole	Head	O'Neal	Ward
Cox	Hornsby	Pfleger	Weaver
Crocker	Howell	Pinkston	White (Covington)
Crook	Ingalls	Pinson	White (Perry)
Denton	Inzer	Pruitt	Wood (Bibb)
Dobbs (Elmore)	Kaul		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fifth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Fifth Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Fifth Legislative Day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Joint Resolution, your signature hereto is requested:

S. J. R. 17. Relative to congratulating Miss Nell Rankin, of Montgomery, Alabama, for her achievement, and wishing her much success in her future operatic efforts.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Messrs. Callahan and Shelton:

H. 87. To make an additional appropriation to the Board of Trustees of the Alabama Insane Hospitals for the use of the Alabama Insane Hospitals and the Partlow State School for Mental Deficients for the fiscal year ending September 30, 1951.

Mr. Miller, Vice-Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Messrs. Wood (Bibb) and Pruitt:

H. 77. To provide for the transportation in school busses of student participants or contestants to and from school activities.

By Mr. Miller:

H. 80. To authorize the allocation and disbursements of Federal funds deposited in the State Treasury of Alabama for educational purposes to county and city boards of education to meet anticipated monthly current operation obligations in accordance with laws and regulations governing the expenditure of such funds as certified to by the State Superintendent of Education.

By Mr. Larkins:

H. 84. To amend Section 298 of the Code of Alabama (1940), which relates to the minimum age at which children may enter school.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House without recommendation, and it was read a second time and placed on the Calendar, to-wit:

By Messrs. Henderson and Clayton (without recommendation):

S. 9. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector; ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature; and making an appropriation to pay the expenses of holding the election.

The above bill was read a second time at length as required by the Constitution.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Mr. Gullledge:

S. 22. Proposing an amendment to Section 106 of Article IV of the Constitution of Alabama, which relates to publishing notice of the intention to apply for the enactment of special, private, or local laws.

The above bill was read a second time at length as required by the Constitution.

By Mr. Gullledge:

S. 20. To amend Section 31 of Title 17 of the Code of Alabama (1940), which relates to the examination of applicants for registration as voters.

Mr. Weaver, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Mr. Kimbrell:

S. 34. Proposing an amendment to the Constitution of Alabama relating to Fayette County, and ordering an election thereon.

The above bill was read a second time at length as required by the Constitution.

By Mr. Harvey:

S. 40. Proposing an amendment to the Constitution of Alabama relating to Blount County, and ordering an election thereon.

The above bill was read a second time at length as required by the Constitution.

By Mr. Coburn:

H. 79. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Colbert County, validating Act No. 485 of the General Acts of the regular 1949 session of the Alabama Legislature.

The above bill was read a second time at length as required by the Constitution.

By Mr. O'Neal:

H. 81. To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; providing for the employment of a Supervisor of Roads; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County.

By Mr. Pinkston:

H. 83. To amend Section 6 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819), which establishes a county-wide personnel system for all counties of the state having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

By Messrs. Brown and Ward:

H. 90. Relating to Lee County: To authorize the governing body of Lee County to levy and collect a privilege tax on all persons, corporations, firms, companies, agencies, and associations selling, delivering,

withdrawing from storage, or keeping in storage for sale or delivery in such County, gasoline, naphtha, and other liquid motor fuel or any substitute therefor commonly used in internal combustion engines, but not including kerosene, fuel oil, or crude oil commonly used for lighting, heating, or industrial purposes; providing exemptions from such levy and for the use of the revenues derived from the tax; making the operation of the Act contingent upon the results of a referendum; directing and requiring the county governing body to provide for holding an election relative to the levying of such tax.

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Mr. Dumas:

H. 91. To make an appropriation of one hundred ten thousand dollars (\$110,000) for the purchase, renovation, and redecoration of the house and lot at 1108 South Perry Street, Montgomery, Alabama, as the mansion for occupancy by the Governor.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report with substitute, and it was read a second time and placed on the Calendar, to-wit:

By Mr. Ingalls (with substitute):

H. 88. To amend Section 542 of Title 51, Code of Alabama 1940, which relates to privilege license on laundried towels, aprons, etc., rented.

Mr. Roberts, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Mr. Ingalls:

H. 89. To amend Section 543 of Title 51, Code of Alabama (1940), which relates to privilege licenses.

By Mr. Cater (by request):

S. 12. To provide supernumerary solicitors of the state; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation, and the method of removal from office of such supernumerary circuit solicitors, and to appropriate funds for the payment of such compensation.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Miller and Roberts (with notice and proof):

H. 92. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Local Legislation.

Notice and Proof H. B. 92:

NOTICE OF LOCAL BILL

Notice is hereby given of intention to introduce in the present Special Session of the Legislature (now in recess until October 10, 1950) and

press for passage a local bill in substance as follows: Notice is further given that if said bill fails of passage at such present Special Session then such bill will be introduced at the May 1951 Regular Session of the State Legislature and its passage pressed:

A BILL
TO BE ENTITLED
AN ACT

To Alter or Re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Boundary lines of the City of Gadsden, Etowah County, Alabama, be, and the same are altered or re-arranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama: all of which territory is more particularly described as being all of the territory lying within the County of Etowah, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

Begin at the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) in Section Seventeen (17), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian, Etowah County, Alabama, and from thence run in a Southerly direction and along the East line of said Section Seventeen (17) and the East line of Section Twenty (20), Township Eleven (11) South of Range Six (6) East of Huntsville Meridian to the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Twenty (20); thence in an Easterly direction and along the North line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), Section Twenty-one (21); Township Eleven (11) South, Range Six (6) East of the Huntsville Meridian to the Northeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Twenty One (21); thence along the East line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said

Section Twenty-one (21), and along the East line of the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty one (21) and along the East line of the West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$), Section Twenty-eight (28), Township Eleven (11) South, Range Six (6) East of the Huntsville Meridian to the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Twenty-eight (28); thence in a Easterly direction and along the North line of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty-eight (28) to the Northeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty-eight (28);

Thence in a Southerly direction and along the East line of the Southwest Quarter (SW $\frac{1}{4}$) in Section Twenty-Eight (28) and along the East line of the West half (W $\frac{1}{2}$) of Section Thirty-three (33), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian to the Northeast corner of the South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) in said Section Thirty-three (33);

Thence in an Easterly direction and along the North line of the South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) in said Section Thirty-three (33) and along the North line of the South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) in Section Thirty-four (34), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian to the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Thirty-four (34);

Thence Northerly along the West line of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-four (34) to the Northwest corner thereof; thence Easterly along the North line of the

said Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Thirty-four (34) to the Northeast corner thereof; thence Northerly along the West line of the East Half ($E\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Thirty-four (34) to the Northwest corner thereof;

Thence Easterly along the North line of the of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-four (34) to the Northeast corner of said Section, which is also the Southwest corner of Section Twenty-six (26), Township Eleven (11) South, of Range Six (6) East; thence Northerly along the West line of the Southwest Quarter ($SW\frac{1}{4}$) of Section Twenty six (26) to the Northwest corner thereof;

Thence Easterly along the North line of the said Southwest Quarter ($SW\frac{1}{4}$) of Section Twenty six (26) to the Northeast corner thereof; thence Northerly along the West line of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Twenty six (26) to the Northwest corner thereof; thence Easterly along the North line of Sections Twenty six (26) and Twenty-five (25) to the Northeast corner of the Northwest Quarter ($NW\frac{1}{4}$) of said Section Twenty five (25); thence Southerly along the East line of the Northwest Quarter ($NW\frac{1}{4}$) of Section Twenty-five (25) to the Southeast corner thereof; thence Westerly along the South line of the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Twenty-five (25) to the Southwest corner thereof; thence Southerly along the East line of the West Half ($W\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Twenty-five (25), and the East line of the West Half ($W\frac{1}{2}$) of the West Half ($W\frac{1}{2}$) of Section Thirty- six (36) to the Southeast corner of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of said Section Thirty-six (36), Township Eleven (11) South, of Range Six (6) East; thence Westerly along the South line of Section Thirty six (36) and Section thirty-five (35), Township Eleven (11) South of Range Six (6) East to the Southwest corner of said Section Thirty-five (35) which is also the Northeast corner of Section Three (3);

Thence Southerly along the East line of Section Three (3), Township Twelve (12), South, of Range Six (6) East to a point where said line intersects the South bank of Coosa River to a point where the East line of the West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Twelve (12), Township Twelve (12) South of range Six (6), East intersects the south bank of Coosa River at low water mark;

Thence Southerly along the East line of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of said Section Twelve (12) to the Southeast corner thereof; thence Easterly along the North line of the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) and the North line of the South Half ($S\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Twelve (12) to the Northeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Twelve (12);

Thence Southerly along the East line of Section Twelve (12) and Thirteen (13), Township Twelve (12) South, of Range Six (6) East to where said line intersects the Cherokee Indian Boundary line; thence in a Southeasterly direction and along said Indian Boundary line to the Northeast corner of Section Nineteen (19), Township Twelve (12) South, of Range Seven (7) East of Huntsville Meridian; thence in a Southerly direction and along the East line of said Section Nineteen (19) to the Southeast corner of said Section Nineteen (19) and to the corporate line of the Town of Glencoe as shown by a map thereof recorded in Final Record "V" page 114, in the Probate Court, Etowah County, Alabama:

Thence in a Westerly direction and along the South line of said Section Nineteen (19) and along the corporate line of the town of Glencoe to where the corporate line of the Town of Glencoe turns in a Northwesterly direction; thence in a Northwesterly direction and along the corporate line of the Town of Glencoe to where said corporate line turns in a Southerly direction and along the corporate line of the Town of Glencoe to a point in the South line of said Section Nineteen (19); thence

in a Westerly direction and along the South line of said Section Nineteen (19) to the Southwest corner of said Section Nineteen (19);

Thence in a Northerly direction and along the West line of said Section Nineteen (19) to the Southwest line of the Gadsden and Anniston Highway, as shown by the map of McCord's Subdivision recorded in Plat Book "D" page 119, Probate Office, Etowah County, Alabama; thence in a Northwesterly direction and along the Southwest line of said Highway to the South line of the North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) in Section Twenty-four (24), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian;

Thence in a Westerly direction and along the South line of said North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) in said Section Twenty-four (24) and along the South line of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) in said Section Twenty-four (24) to a point in the Northeast line of Keeling Road; as shown by the map of Hadley Farms recorded in Plat Book "B", page 236, in said Probate Office; thence in a Northwesterly direction and along the Northeast line of the Keeling Road to the Indian Boundary line;

Thence in a Northwesterly direction and along the Indian Boundary line to the Southwest corner of the Northeast part of the Southeast Fractional Quarter in Section Fourteen (14), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian; thence in a Northerly direction and along the West line of said Northeast Part of the Southeast Fractional Quarter in said Section Fourteen (14) to the Southeast corner of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) in said Section Fourteen (14); thence in a Westerly direction and along the South line of said Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) in said Section Fourteen (14) to the Southeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) in said Section Fourteen (14);

Thence in a Northerly direction and along the East line of the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of said Section Fourteen (14) a distance of 495 feet; thence in a Westerly direction and parallel with the South line of said Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) to the west line thereof; thence Northerly and along the West line of the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) in said Section Fourteen (14) to the Southeast corner of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) in said Section Fourteen (14); Thence in a Westerly direction and along the South line of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) in said Section Fourteen (14) to the West line of said Section Fourteen (14); thence Southerly along the West line of Section Fourteen (14); which is the East line of Section Fifteen (15) to a point four hundred ninety-two (492) feet South of the Southeast corner of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Fifteen (15);

Thence South thirty-four (34) degrees thirty-seven (37) minutes West, along the East lines of lots Eighteen (18) and Nineteen (19) of Block Seven (7) of the Crestview Land Company Addition, two hundred (200) feet, thence North fifty (50) degrees thirteen (13) minutes West along the South boundary of the Crestview Land Company Addition one thousand six hundred seventy eight (1678) feet.

Thence North twenty-seven (27) degrees twenty-two (22) minutes East along the Northwest boundary of the Crestview Land Company Addition to a point on the North and South center line of the Northeast Quarter ($NE\frac{1}{4}$) of Section Fifteen (15), where said Northwest boundary of Crestview Land Company Addition intersects center line;

Thence Northerly along the said center line of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Fifteen (15) to the Northwest corner of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Fifteen (15), which is the Southwest corner of the Southeast Quar-

ter of the Southeast Quarter ($SE\frac{1}{4}$) of Section Ten (10) Township Twelve (12) South, of Range Six (6) East;

Thence in a Westerly direction and along the South line of said Section Ten (10) and along the South line of Section Nine (9) Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian to the Northeast corner of Government Lot Number Three (3) in Section Sixteen (16), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian;

Thence a Southerly direction and along the East lines of Government Lots Numbers Three (3), Six (6), Nine (9), and Eleven (11) and said lines extended to the South bank of Big Wills Creek,

Thence in an Easterly direction and down the South bank of said Creek to a point where the East line of the West Half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) in Section Twenty-one (21), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian, produced Northerly, intersects said Creek bank;

Thence Southerly and along the East line of the West Half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) in Said Section Twenty-one (21), and said line produced in a Northerly direction, to a point in the Northwest right-of-way line of the Gadsden-Birmingham Highway, otherwise known as Rainbow Drive;

Thence in a Southwesterly direction and along the Northwest right-of-way line of said highway to the East line of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Twenty-one (21);

Thence in a Southerly direction and along the East line of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Twenty-one (21) to the Southeast corner of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Twenty-one (21);

Thence in a Easterly direction and along the North line of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$), Section Twenty-eight (28), Township Twelve (12) South, Range Six (6) East of Huntsville Meridian to the West line of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of said Section Twenty-one (21);

Thence in a Northerly direction and along the West line of the Southwest Quarter ($SW\frac{1}{4}$) of the South east Quarter ($SE\frac{1}{4}$) of said Section Twenty-one (21) to the Northwest corner of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of said Section Twenty-one;

Thence in an Easterly direction and along the North line of the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of said Section Twenty-one (21) to the Northeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of said Section Twenty-one (21);

Thence in a Southerly direction and along the West line of said Section Twenty one (21) to the Southeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of said Section Twenty-one (21);

Thence in a Westerly direction and along the South line of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of said Section Twenty one (21) to the Northeast corner of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$), Section Twenty-eight (28), Township Twelve (12) South, Range Six (6) East of the Huntsville Meridian;

Thence in a Southerly direction and along the East line of the West Half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Twenty-eight (28) to the Southeast corner of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Twenty-eight (28);

Thence in a Westerly direction and along the South line of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Sec-

tion Twenty-eight (28) to the Northeast corner of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty-eight (28);

Thence in a Southerly direction and along the East line of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty-eight (28) to the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW) of said Section Twenty-eight (28);

Thence in a Westerly direction and along the South line of the North Half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty-eight (28) to the Southwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty-eight (28);

Thence in a Northerly direction and along the West line of said Section Twenty-eight (28) to the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NE $\frac{1}{4}$) of said Section Twenty-eight (28);

Thence in an Easterly direction and along the North line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Twenty-eight (28) for a distance of Two Hundred and Thirty-two (232) feet to the West line of a certain Street;

Thence in a Northeasterly and Northwesterly direction and along the West line of said Street to a point in the Southeast right-of-way line of the Gadsden-Birmingham Highway, otherwise known as Rainbow Drive;

Thence in a Northeasterly direction and along the Southeast right-of-way line of said highway to the South line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section Twenty-one (21), Township Twelve (12) South, Range Six (6) East of the Huntsville Meridian;

Thence in a Westerly direction and along the South line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty-one (21);

Thence Northerly and along the West line of said Section Twenty-one (21) to the Southerly bank of Big Will Creek;

Thence in a Northeasterly and Easterly direction and along the Southerly bank of said Creek to a point which is two hundred (200) feet West, drawn on a line parallel with the North line of Section Sixteen (16) hereinbefore mentioned, from where the East line of Government Lot Number Eleven (11) in said section Sixteen (16), if produced in a Southerly direction, would intersect the South bank of said Creek;

Thence in a Northerly direction and parallel with the East lines of Government Lots Numbers Eleven (11), Nine (9), Six (6) and Three (3) in said Section Sixteen (16) and parallel with the East line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in Section Nine (9) Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian to a point in the South line of the North (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in said Section Nine (9);

Thence in a Westerly direction and along the South line of the North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in said Section Nine (9) to the Southwest corner thereof;

Thence Northerly and along the West line of the North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in said Section Nine (9) to the Southeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in said Section Nine (9);

Thence in a Westerly direction and along the South line of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in said Section Nine (9) and along the South line of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) in Section Eight (8) to the Southwest corner of the said Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Eight (8), which is also the Northeast corner

of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eight (8);

Thence Southerly along the East line of said Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eight (8) and along the East lines of Lots or Fractions Two (2) and Seven (7), Section Seventeen (17) to the Southeast corner of Lot or Fraction Seven (7);

Thence Westerly along the South line of Lot or Fraction Seven (7); Section Seventeen (17) to the Southwest corner thereof;

Thence Northerly along the West line of said lot or Fraction Seven (7) to the Northwest corner thereof;

Thence Westerly along the South line of Lots or Fractions Three (3) and Four (4) of Section Seventeen (17) and the South lines of Lots or Fractions One (1) and Two (2), Section Eighteen (18) to the Southwest corner of said Lot or Fraction Two (2);

Thence Northerly along the West line of said Lot or Fraction Two (2) to the Northwest corner thereof; said point being in the division line between Sections Seven (7) and Eighteen (18);

Thence Westerly along the South line of Section Seven (7) to the Southwest corner thereof;

Thence Northerly along the West line of Lot or Fraction Thirteen (13) to the Northwest corner of said Lot or Fraction Thirteen (13) of said Section Seven (7) which is also the Southeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twelve (12); Township Twelve (12) South, of Range Five (5);

Thence Westerly along the South line of the said Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twelve (12) to the Southwest corner thereof;

Thence Northerly along the West line of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twelve (12), to the Northwest corner thereof;

Thence West along the South line of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twelve (12) to the Southwest corner thereof which is the Southeast corner of Lot or Fraction "A" otherwise known as the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twelve (12), Township Twelve (12) South, Range Five (5) East of Huntsville Meridian, and from thence run Southerly and along the East line of Fraction "C" in said Section Twelve (12) to the Southwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Twelve (12);

Thence West and along the South line of said Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Twelve (12) extended in a Westerly direction across said Fraction "C" to a point in the West, or Southwest bank of Big Wills Creek;

Thence Northerly and Northwesterly up and along the West, or Southwest bank of Big Wills Creek to a point which is 140 feet Southeast of, and at right angles to, the center line of the Eighty (80) foot strip as described in a deed from the United States of America to Etowah County Alabama dated Twenty-fifth of February, 1948 and recorded in Record Book "361" page 153, Probate Office, Etowah County, Alabama;

Thence South Thirty nine (39) degrees eighteen (18) West and parallel with the center line described in said deed above mentioned to a point in the East line of the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Twelve (12);

Thence Southerly and along the East line of the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) in said Section Twelve (12) and along the East line of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in Section Thirteen (13) Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, to the Southeast corner of said

Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Thirteen (13);

Thence in a Westerly direction and along the South line of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Thirteen (13) and along the South line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in Section Fourteen (14), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, to a point in the West line of what is known as the "Airport" Road;

Thence Southerly and along the West line of said "Airport" Road to a point where the West Right-of-way line of said "Airport" Road intersects the Northerly Right-of-way line of what is known as the "Steel Station" Road;

Thence Westerly and Southwesterly and along the Northerly Right-of-way line of said "Steel Station" Road to where said Right-of-way line intersects the dividing line between Sections Twenty six (26) and Twenty Seven (27), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian;

Thence Northerly and along said Section line to the Southeast Corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Twenty seven (27);

Thence Westerly and along the South line of said Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in Section Twenty Seven (27) to the Southwest corner thereof;

Thence North and along the West line of said Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in Section Twenty seven (27) and along the West line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) in Section Twenty Two (22); Township Twelve (12) South of Range Five (5) East of Huntsville Meridian, to the Northwest corner of said Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) in Section Twenty two (22);

Thence East and along the North line of said Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) in Section Twenty two (22) to the Northeast corner thereof which said last mentioned point is in the West line of Section Twenty Three (23), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian;

Thence North and along the West line of said Section Twenty three (23) a distance of one-half ($\frac{1}{2}$) mile to the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Twenty three (23);

Thence East and along the North line of said Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in Section Twenty three (23) to the Northeast corner thereof; which is also the Southwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Twenty three (23);

Thence Northerly and along the West line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Twenty-three (23) and along the West line of the East half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the East Half (E $\frac{1}{2}$) of the Northwest Quarter in Section Fourteen (14), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, and along the West line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in Section Eleven (11), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, to a point of intersection with the North Right-of-way line of Highway from Morgan's Cross Roads to Camp Sibert;

Thence in a Westerly direction and along the North Right-of-way line of said Highway last mentioned, to where the same intersects the West line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in Section Fifteen (15), Township Twelve (12) South of Range Five (5) East of Huntsville Meridian, Alabama;

Thence North and along the West line of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) in said Section Fifteen (15) and along the West line of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in Section Ten (10), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian to the Northwest corner of said Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in Section Ten (10);

Thence East and along the North lines of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in Section Ten (10) and along the North line of the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) and the South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) in Section Eleven (11), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, Alabama, and along the North line of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in Section Twelve (12) to a point which is One Hundred Forty (140) feet Northwest of, and at right angles to the center line of the Eighty (80) foot strip described in the deed from the United States of America to Etowah County, Alabama, dated the 25th of February, 1948, and recorded in record Book "361" and page 155, hereinbefore mentioned;

Thence North Thirty Nine (39) degrees Eighteen (18) Minutes East and parallel with said center line to a point in the West line of Lot or Fraction, "C" in Section Twelve (12) Township Twelve (12) South of Range Five (5) East of Huntsville Meridian, Alabama, thence Northerly and along the West line of Lots, or Fractions, "C" and "A" in said Section Twelve (12) to the Northwest corner of said lot or Fraction "A", which said point is in the present City limits of the City of Gadsden;

Thence West along the South line of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section One (1), Township Twelve (12) South, Range Five (5) East to the Southwest corner thereof; thence Northerly and along the West line of said Section One (1) to the Northwest corner thereof; which is also the Southeast corner of Section Thirty five (35), Township Eleven (11) South, of Range Five (5) East of Huntsville Meridian; thence in a Westerly direction and along the south line of said Section Thirty five (35) to the East bank of Little Wills Creek; thence in a Northerly and Northeasterly direction up the East bank of Little Wills Creek to the North line of said Section Thirty-five (35);

Thence in a Easterly direction and along the North line of said Section Thirty five (35) and along the North line of Section Thirty Six (36), Township Eleven (11) South, of Range Five (5) East of Huntsville Meridian and along the North line of Section Thirty one (31), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian to the North and South center line of Section Thirty (30), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian;

Thence Northerly and along the North and South center line of said Section Thirty (30) to a point in the South line of Section Nineteen (19), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence in an Easterly direction and along the South line of said Section Nineteen (19) to the Southwest corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in said Section Nineteen (19);

Thence Northerly and along the West line of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in said Section (19) to the Northwest corner thereof thence Easterly and along the North line of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in said Section Nineteen (19) to the West line of Section Twenty (20) Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence Northerly and along the West line of said Section Twenty (20) to the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Twenty (20); thence in an Easterly direction and along the North line of the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Twenty (20) to the Southwest corner of the East Half ($E\frac{1}{2}$) of the Northwest Quarter in said Section Twenty (20);

Thence in a Northerly direction and along the West line of the East Half (E½) of the Northwest Quarter (NW¼) in said Section Twenty (20) to the South line of Section Seventeen (17), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence in an Easterly direction and along the South line of said Section Seventeen (17) to the Southwest corner of the Southeast Quarter (SE¼) in said Section Seventeen (17); thence in a Northerly direction and along the West line of the Southeast Quarter (SE¼) in said Section Seventeen (17) to the Northwest corner thereof; thence in an Easterly direction and along the North line of the Southeast Quarter (SE¼) in said Section Seventeen (17) to the point of beginning, all in Etowah County, Alabama.

Section 2. That the boundaries set out in Section One (1) of this Act be, and the same are hereby established as the corporate limits of said City of Gadsden, Etowah County, Alabama, and all the territory included and embraced within said boundaries shall hereafter be and constitute a part of the City of Gadsden, Etowah County, Alabama.

Section 3. That all laws and parts of laws both general, special and local in conflict with this Act be, and the same are hereby repealed.

Section 4. That this act shall go into effect immediately upon its approval by the Governor.

Sept. 25, Oct. 2, 9, 16.

STATE OF ALABAMA ETOWAH COUNTY

Before me, Walter Betz, a Notary Public, in and for said County, in said State, personally appeared Mary Garnet, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. Bookkeeper of The Gadsden Times, a newspaper published in said County, in said State, and authorized under laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice, which notice was printed in The Gadsden Times in its regular circulated editions on 9/25, 10/2, 10/9 and 10/16, 1950, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appeared in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 16th day of Oct., 1950.

MARY GARNET.

Subscribed and sworn to before me on this, the 16th day of Oct., 1950.

WALTER BETZ,

Notary Public, Etowah County, Ala.

By Messrs. Faulk and Richardson:

H. 93. To provide for the granting of continuances in any cause when any party or his attorney is a member of the Legislature and is unable to be present in court because of the necessity of his attending a session of the Legislature or a meeting of a legislative committee.

Judiciary.

By Mr. Adams (Jefferson) (by request):

H. 94. To amend Sections 253, 254, 255, 256, 257 and 258, Title 62 of the Code of Alabama of 1940 to increase and extend the powers and duties of the barbers' commissions and the Barber Inspector and to further regulate and license barbers and barber colleges, and other like businesses, and to increase the license fees therefor in counties of the State of Alabama having a population of 300,000 or over, according to the last or any subsequent federal census.

Local Legislation.

By Messrs. Thompson (Pike) and Coburn:

H. 95. To amend Section 8 of Act No. 323, approved August 2, 1949, entitled "An Act To provide for a refund of a portion of the State tax paid on gasoline when the gasoline is used in propelling or operating tractors used exclusively for agricultural purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor."

Ways and Means.

By Mr. Shelton:

H. 96. To provide for the distribution of the proceeds of sales of contraband property in counties having a population of not less than 76,000 nor more than 114,000 according to the most recent federal census.

Local Legislation

By Mr. Shelton:

H. 97. To amend further Act No. 515, H. 93, approved July 9, 1945 (General Acts, 1945, pp. 734-752), which establishes the State Employees' Retirement System.

Judiciary.

BILLS ON THIRD READING

H. 28. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Duffee	Larkins	Robinson
Adams (Dale)	Dumas	Lovelace	Sellers
Adams (Jefferson)	Dyar	McClendon	Shelton
Barnett	Evans	McDonald	Shirley
Black	Faulk	Martin	Sightler
Brassell	Ganey	Mathison	Taylor (Autauga)
Broadwater	Garrett	Meeks	Taylor (Hale)
Brown	George	Merrill	Thompson (Crenshaw)
Buckner	Gillis	Miller	Thompson (Pike)
Coburn	Hankins	Molette	Wallace
Cox	Hardy	Nelson	Ward
Crocker	Haynes (Franklin)	Nettles	Weaver
Crook	Head	Pinson	White (Covington)
Denton	Howell	Ramey	White (Perry)
Dobbs (Elmore)	Ingalls	Richardson	Wood (Bibb)
Dobbs (Fayette)	Knight	Roberts	

—63

H. 43 INDEFINITELY POSTPONED

On motion of Mr. Evans the bill, H. 43, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 44. Relating to Choctaw County: Levying a privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters, or from beneath the soil or waters, of Choctaw County; to require all parties engaged in severing such natural resources to keep and maintain full and complete records of the severance of such resources; to prescribe the method of collecting and enforcing the payment of such tax; to provide for the distribution of the taxes collected; to provide for penalties and punish-

ment and for restraining orders for the violation of the terms and provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Denton	Howell	Ramey
Adams (Jefferson)	Dobbs (Elmore)	Knight	Richardson
Armstrong	Dobbs (Fayette)	Larkins	Roberts
Barnett	Duffee	McClendon	Robinson
Benford	Dumas	McDonald	Sellers
Black	Dyar	Martin	Shelton
Brannan	Evans	Mathison	Shirley
Brassell	Faulk	Meeks	Sightler
Broadwater	Ganey	Merrill	Taylor (Autauga)
Brown	Garrett	Miller	Thagard
Buckner	George	Molette	Thompson (Crenshaw)
Callahan	Gillis	Nelson	Thompson (Pike)
Coburn	Hankins	Nettles	Ward
Cox	Hardy	Pflegler	Weaver
Crocker	Haynes (Franklin)	Pinkston	White (Covington)
Crook	Head	Pinson	Wood (Bibb)

—64

And the bill:

H. 45. To impose extra, new and additional duties upon the President and associate members of the Board of Revenue of Covington County; to require an additional regular meeting of said board during each month; and to provide a monthly sum in payment of expenses for the performance of such extra duties and attendance upon said additional regular meeting.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Denton	Howell	Ramey
Adams (Jefferson)	Dobbs (Elmore)	Knight	Richardson
Armstrong	Dobbs (Fayette)	Larkins	Roberts
Barnett	Duffee	McClendon	Robinson
Benford	Dumas	McDonald	Sellers
Black	Dyar	Martin	Shelton
Brannan	Evans	Mathison	Shirley
Brassell	Faulk	Meeks	Sightler
Broadwater	Ganey	Merrill	Taylor (Autauga)
Brown	Garrett	Miller	Thagard
Buckner	George	Molette	Thompson (Crenshaw)
Callahan	Gillis	Nelson	Thompson (Pike)
Coburn	Hankins	Nettles	Ward
Cox	Hardy	Pflegler	Weaver
Crocker	Haynes (Franklin)	Pinkston	White (Covington)
Crook	Head	Pinson	Wood (Bibb)

—64

And the bill:

H. 46. Relating to Cullman County: To change the method of com-

pensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Knight	Roberts
Adams (Dale)	Duffee	McClendon	Robinson
Adams (Jefferson)	Dumas	McDonald	Sellers
Armstrong	Dyar	Malone	Shelton
Barnett	Evans	Martin	Shirley
Benford	Faulk	Mathison	Sightler
Black	Ganey	Merrill	Taylor (Hale)
Brassell	Garrett	Miller	Thagard
Brown	George	Molette	Thompson (Crenshaw)
Buckner	Gillis	Nelson	Thompson (Pike)
Coburn	Hankins	Nettles	Wallace
Cox	Hardy	O'Neal	Ward
Crocker	Haynes (Franklin)	Pfieger	Weaver
Crook	Head	Pinson	White (Covington)
Denton	Howell	Ramey	White (Perry)
Dobbs (Elmore)	Ingalls	Richardson	Wood (Bibb)

—64

And the bill:

H. 47. Relating to Colbert County, Alabama: To abrogate and abolish the criminal jurisdiction of justices of the peace and notaries public ex-officio justices of the peace in Colbert County, Alabama, and to provide for proceedings of such causes in the Colbert Law and Equity Court of Colbert County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Duffee	Knight	Roberts
Adams (Dale)	Dumas	Larkins	Robinson
Adams (Jefferson)	Dyar	McClendon	Sellers
Armstrong	Evans	McDonald	Shelton
Barnett	Faulk	Martin	Shirley
Benford	Ganey	Mathison	Sightler
Black	Garrett	Meeks	Taylor (Autauga)
Brassell	George	Merrill	Taylor (Hale)
Buckner	Gibson	Miller	Thagard
Coburn	Gillis	Molette	Thompson (Pike)
Cox	Hankins	Nettles	Wallace
Crocker	Hardy	O'Neal	Ward
Crook	Haynes (Franklin)	Pfieger	Weaver
Denton	Head	Pinson	White (Covington)
Dobbs (Elmore)	Howell	Ramey	White (Perry)
Dobbs (Fayette)	Ingalls	Richardson	Wood (Bibb)

—64

And the bill:

H. 48. To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Collector of the County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Larkins	Robinson
Adams (Dale)	Duffee	McClendon	Sellers
Barnett	Dyar	McDonald	Shelton
Benford	Evans	Malone	Shirley
Black	Faulk	Martin	Sightler
Brannan	Ganey	Mathison	Taylor (Autauga)
Brassell	Garrett	Merrill	Taylor (Hale)
Broadwater	George	Miller	Thagard
Brown	Gillis	Molette	Thompson (Crenshaw)
Buckner	Hankins	Nelson	Thompson (Pike)
Callahan	Hardy	Nettles	Wallace
Coburn	Haynes (Franklin)	O'Neal	Ward
Cox	Haynes (Lowndes)	Pfleger	Weaver
Crocker	Head	Pinson	White (Covington)
Crook	Howell	Ramey	White (Perry)
Denton	Ingalls	Richardson	Wood (Bibb)
Dobbs (Elmore)	Knight	Roberts	

—67

And the bill:

H. 49. To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Assessor of the County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Duffee	Larkins	Roberts
Adams (Dale)	Dyar	McClendon	Robinson
Adams (Jefferson)	Evans	McDonald	Sellers
Benford	Faulk	Malone	Shelton
Black	Ganey	Martin	Shirley
Brannan	Garrett	Mathison	Sightler
Brassell	George	Merrill	Taylor (Autauga)
Broadwater	Gillis	Miller	Taylor (Hale)
Buckner	Hankins	Molette	Thagard
Callahan	Hardy	Nelson	Thompson (Crenshaw)
Coburn	Haynes (Franklin)	Nettles	Thompson (Pike)
Cox	Haynes (Lowndes)	Pfleger	Wallace
Crocker	Head	Pinson	Ward
Crook	Howell	Pruitt	Weaver
Denton	Ingalls	Ramey	White (Covington)
Dobbs (Elmore)	Knight	Richardson	Wood (Bibb)
Dobbs (Fayette)			

—65

And the bill:

H. 58. To empower the governing body of the City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, to levy in said city, additional special privilege or license taxes paralleling, with like provisions in said city, such State of Alabama taxes as are levied by said State by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, except that only fifty per cent (50%) of the State levy provided

by subdivisions (a), (b) and (c) of said Section 753 shall be made and shall be collected by said city; to provide a lien in favor of the City against the property of taxpayers liable for such taxes and to make the provisions of the Revenue Laws of the State of Alabama applicable to the enforcement of such liens; to provide that taxes which may be levied hereunder shall constitute a debt due said City and to provide methods of collection; to provide for the collection of such taxes by the Treasurer of said city and for reports to be made by taxpayers liable for such taxes; to provide that the Treasurer of said city as to the collection of such taxes shall have the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto; to provide for expenses of clerk hire and other expenses incurred by said city in collecting, handling and disbursing such taxes; to provide that the taxes which may be levied hereunder shall be in addition to all other licenses and taxes which may be levied by said city and a condition precedent to engaging in any business taxable hereunder, except as may be otherwise provided; to provide for the time and manner, method and provision for the collection of said taxes; to provide that such taxes which may be levied hereunder shall be added by the taxpayer to the sales price and collected from the purchaser on all sales affected hereby and to provide the method of determining the amounts to be added to sales and collected from the purchaser and to provide a penalty for failure or refusal to abide by such requirements; to provide for the allocation and use of the taxes which may arise hereunder; to provide penalties for failure to comply with the provisions of this act; and to provide the governing body of said city with authority to call and hold an election to submit to the qualified electors of said city the question as to whether or not such taxes shall be levied, the length of time such taxes shall run and the rate thereof; to provide when this act shall go into effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Elmore)	McDonald	Robinson
Adams (Dale)	Dobbs (Fayette)	Malone	Sellers
Adams (Jefferson)	Duffee	Martin	Shelton
Armstrong	Dyar	Mathison	Shirley
Barnett	Faulk	Merrill	Sightler
Benford	Ganey	Miller	Taylor (Autauga)
Black	George	Molette	Taylor (Hale)
Brannan	Hankins	Nelson	Thagard
Brassell	Hardy	Nettles	Thompson (Crenshaw)
Brown	Haynes (Franklin)	O'Neal	Thompson (Pike)
Buckner	Haynes (Lowndes)	Pfieger	Wallace
Callahan	Head	Pinson	Ward
Coburn	Howell	Pruitt	Weaver
Cox	Knight	Ramey	White (Covington)
Crook	Larkins	Richardson	White (Perry)
Denton	McClendon	Roberts	Wood (Bibb)

—64

And the bill:

H. 64. To amend "An act to establish a county court for DeKalb County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for

the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County, Alabama, to the cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County, Alabama", acts No. 179, approved July 22, 1927, as amended, by amending Section 5 thereof to read as hereafter set out.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Ingalls	Richardson
Adams (Dale)	Duffee	Knight	Roberts
Adams (Jefferson)	Dumas	Larkins	Robinson
Armstrong	Dyar	McClendon	Sellers
Barnett	Evans	McDonald	Shelton
Benford	Faulk	Malone	Shirley
Black	Ganey	Martin	Sightler
Brannan	Garrett	Mathison	Taylor (Autauga)
Brassell	George	Merrill	Taylor (Hale)
Brown	Gibson	Miller	Thagard
Buckner	Gillis	Nelson	Thompson (Crenshaw)
Callahan	Hankins	Nettles	Thompson (Pike)
Coburn	Hardy	O'Neal	Wallace
Cox	Haynes (Franklin)	Pflegler	Ward
Crocker	Haynes (Lowndes)	Pinson	Weaver
Crook	Head	Pruitt	White (Perry)
Denton	Howell	Ramey	Wood (Bibb)
Dobbs (Elmore)			

—69

And the bill:

H. 65. Relating to the compensation of the judge of the Inferior Court of any municipality in the State which has a population of not more than 15,000 and not less than 13,000 inhabitants.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Knight	Roberts
Adams (Dale)	Duffee	Larkins	Robinson
Adams (Jefferson)	Dumas	McClendon	Sellers
Armstrong	Dyar	Malone	Shelton
Barnett	Evans	Martin	Shirley
Benford	Faulk	Mathison	Sightler
Black	Ganey	Merrill	Stone
Brannan	Garrett	Miller	Taylor (Autauga)
Brassell	George	Molette	Taylor (Hale)
Broadwater	Gillis	Nelson	Thagard
Brown	Hankins	Nettles	Thompson (Crenshaw)
Buckner	Hardy	O'Neal	Thompson (Pike)
Callahan	Haynes (Lowndes)	Pflegler	Wallace
Coburn	Head	Pinson	Ward
Cox	Hornsby	Pruitt	Weaver
Crocker	Howell	Ramey	White (Covington)
Denton	Ingalls	Richardson	Wood (Bibb)
Dobbs (Elmore)			

—69

H. 67 INDEFINITELY POSTPONED

On motion of Mr. Brown the bill, H. 67, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 34. To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor.

Was taken up.

Mr. Dumas offered the following amendment to the bill, H. 34:

Amend Section 7 of House Bill No. 34 by inserting at the end thereof the following words: "but not exceeding in any event the sum of \$5000."

And the amendment was adopted.

Yeas 69; Nays 1.

Yeas:

Mr. Speaker	Evans	McClendon	Roberts
Adams (Dale)	Faulk	Malone	Robinson
Adams (Jefferson)	Ganey	Martin	Sellers
Armstrong	Garrett	Mathison	Shelton
Barnett	George	Meeks	Shirley
Beatty	Gibson	Merrill	Sightler
Black	Hankins	Miller	Stone
Brassell	Hardy	Molette	Taylor (Autauga)
Broadwater	Haynes (Lowndes)	Nelson	Taylor (Hale)
Buckner	Head	Nettles	Thagard
Coburn	Hornsby	O'Neal	Thompson (Crenshaw)
Cox	Howell	Pflegler	Wallace
Crocker	Ingalls	Pinkston	Ward
Crook	Inzer	Pinson	Weaver
Denton	Kaul	Pruitt	White (Covington)
Dobbs (Fayette)	Knight	Ramey	White (Perry)
Dumas	Lovelace	Richardson	Wood (Bibb)
Dyar			

—69

Nays: Mr. Gillis

—1

And said bill, H. 34, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 1.

Yeas:

Mr. Speaker	Crocker	Hardy	Mathison
Adams (Dale)	Crook	Haynes (Lowndes)	Meeks
Adams (Jefferson)	Denton	Head	Merrill
Armstrong	Dobbs (Fayette)	Hornsby	Miller
Barnett	Dumas	Howell	Molette
Beatty	Dyar	Ingalls	Nelson
Benford	Evans	Inzer	Nettles
Brannan	Faulk	Kaul	O'Neal
Brassell	Ganey	Knight	Pflegler
Broadwater	Garrett	Larkins	Pinkston
Buckner	George	Lovelace	Pinson
Coburn	Gibson	McClendon	Pruitt
Cox	Hankins	Martin	Ramey

Richardson	Sightler	Thagard	Weaver
Roberts	Stone	Thompson (Crenshaw)	White (Covington)
Sellers	Taylor (Autauga)	Wallace	White (Perry)
Shelton	Taylor (Hale)	Ward	Wood (Bibb)
Shirley			

—69

Nays: Mr. Gillis

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

S. 49. To make an appropriation for the painting of the exterior of the State Capitol.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 49—Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 26. Proposing an amendment to the Constitution of Alabama relating to Fayette County, and ordering an election thereon.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dobbs of Fayette, the House concurred in and adopted the Senate amendment to the bill, H. 26, said Senate amendment being as follows:

Amend H. B. No. 26 by striking from Section 2 the first sentence thereof and inserting the following:

"An election upon the proposed amendment is ordered to be held on the date of the next general election after January 1, 1951."

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Buckner	Evans	Head
Adams (Dale)	Callahan	Faulk	Hornsby
Adams (Jefferson)	Coburn	Ganey	Howell
Armstrong	Cox	Garrett	Ingalls
Barnett	Crocker	George	Inzer
Benford	Crook	Gibson	Knight
Black	Denton	Gillis	Larkins
Brannan	Dobbs (Elmore)	Hankins	McClendon
Brassell	Dobbs (Fayette)	Haynes (Franklin)	Malone
Broadwater	Dyar	Haynes (Lowndes)	Martin

Mathison	Pflegger	Sellers	Thagard
Meeks	Pinkston	Shelton	Thompson (Crenshaw)
Merrill	Pinson	Shirley	Thompson (Pike)
Miller	Ramey	Sightler	Ward
Nelson	Richardson	Stone	Weaver
Nettles	Roberts	Taylor (Autauga)	White (Covington)
O'Neal	Robinson	Taylor (Hale)	Wood (Bibb)

—68

BILLS ON THIRD READING RESUMED

H. 73. To amend Section 543 of Title 51, Code of Alabama (1940), which relates to privilege licenses.

Was taken up.

Mr. Ingalls offered the following substitute for the bill, H. 73:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 543 of Title 51, Code of Alabama (1940), which relates to privilege license, and provides for retroactive effect thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 543 of Title 51, Code of Alabama (1940) is amended to read as follows:

"Section 543. For each person, firm, or corporation who operates what is commonly known as a power or steam laundry: In cities and towns of thirty-five thousand inhabitants and over, sixty dollars; in cities and towns of less than thirty-five thousand and not less than fifteen thousand inhabitants, thirty dollars; in cities and towns of less than fifteen thousand and not less than five thousand inhabitants, fifteen dollars; in all other places whether incorporated or not, ten dollars. For self-service laundries or concerns commonly known as launderettes, twenty-five percent of the power or steam laundry license. For each laundry operated by hand power, ten dollars. Provided, That no license shall be required of persons commonly known as a 'wash-woman.' Provided further, That hotels which operate laundries exclusively for their own guests shall pay a license of twenty-five percent of the foregoing enumerated amounts for power or steam laundries. And provided further, That a person not having a place of business within the State of Alabama where such work is actually performed shall pay a license of twenty-five dollars for the reception or collection of laundry."

Section 2. The effective date of this Act shall be October 1, 1950; upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Crocker	Gillis	Meeks
Adams (Dale)	Crook	Hankins	Merrill
Adams (Jefferson)	Denton	Hardy	Miller
Barnett	Dobbs (Fayette)	Haynes (Franklin)	Molette
Beatty	Dyar	Haynes (Lowndes)	Nelson
Brannan	Faulk	Head	Nettles
Brassell	Ganey	Howell	O'Neal
Buckner	Garrett	McClendon	Pflegger
Callahan	George	Malone	Pinson
Cox	Gibson	Martin	Pruitt

Ramey	Sellers	Taylor (Autauga)	Weaver
Richardson	Shelton	Taylor (Hale)	White (Covington)
Roberts	Sightler	Wallace	Wood (Bibb)
Robinson	Stone	Ward	—55

And said bill, H. 73, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Faulk	McClendon	Roberts
Adams (Dale)	Ganey	Malone	Robinson
Adams (Jefferson)	Garrett	Martin	Sellers
Barnett	George	Meeks	Shelton
Beatty	Gibson	Merrill	Shirley
Brannan	Gillis	Miller	Sightler
Brassell	Hankins	Molette	Stone
Buckner	Hardy	Nelson	Taylor (Autauga)
Callahan	Haynes (Lowndes)	Nettles	Taylor (Hale)
Cox	Head	Pflegler	Wallace
Crocker	Howell	Pinson	Ward
Crook	Kaul	Pruitt	Weaver
Denton	Larkins	Ramey	White (Covington)
Dobbs (Fayette)	Lovelace	Richardson	Wood (Bibb)
Evans			—57

And the bill:

H. 72. To increase the compensation of the State Auditor, the Secretary of State and the State Treasurer to the extent of \$1200.00 per annum.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 3.

Yeas:

Mr. Speaker	Dyar	Lovelace	Ramey
Adams (Dale)	Faulk	McClendon	Richardson
Adams (Jefferson)	Ganey	Malone	Roberts
Barnett	Garrett	Martin	Shelton
Beatty	George	Mathison	Sightler
Benford	Gibson	Meeks	Stone
Black	Hankins	Merrill	Taylor (Autauga)
Brannan	Hardy	Miller	Taylor (Hale)
Brassell	Haynes (Lowndes)	Molette	Thompson (Pike)
Brown	Head	Nelson	Wallace
Callahan	Howell	Nettles	Ward
Coburn	Ingalls	Pflegler	Weaver
Cox	Inzer	Pinkston	White (Covington)
Crocker	Knight	Pinson	Wood (Bibb)
Dobbs (Fayette)	Larkins	Pruitt	—59

Nays: Messrs. Crook, Gillis and Shirley

—3

And the bill:

H. 66. To fix the salary of the State Superintendent of Education.

Was taken up.

Mr. Miller offered the following amendment to the bill, H. 66:

Amend Section 2 of House Bill No. 66 to read as follows:

"Section 2. This Act shall become effective January 15, 1951."

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Kaul	Pinson
Adams (Dale)	Duffee	Knight	Pruitt
Adams (Jefferson)	Dumas	Larkins	Ramey
Armstrong	Dyar	Lovelace	Richardson
Barnett	Faulk	McClendon	Roberts
Beatty	Ganey	Martin	Sellers
Benford	Garrett	Mathison	Shelton
Black	George	Meeks	Sightler
Brannan	Gibson	Merrill	Taylor (Autauga)
Brassell	Hankins	Miller	Taylor (Hale)
Broadwater	Hardy	Molette	Wallace
Buckner	Haynes (Lowndes)	Nelson	Ward
Callahan	Howell	Nettles	Weaver
Coburn	Ingalls	O'Neal	White (Covington)
Cox	Inzer	Pinkston	White (Perry)
Dobbs (Elmore)			—61

And said bill, H. 66, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 1.

Yeas:

Mr. Speaker	Duffee	Knight	Pinson
Adams (Dale)	Dumas	Larkins	Pruitt
Adams (Jefferson)	Faulk	Lovelace	Richardson
Armstrong	Ganey	McClendon	Roberts
Barnett	Garrett	Martin	Sellers
Beatty	George	Mathison	Shelton
Benford	Gibson	Meeks	Sightler
Brannan	Hankins	Merrill	Taylor (Autauga)
Brassell	Hardy	Miller	Wallace
Broadwater	Haynes (Lowndes)	Molette	Ward
Buckner	Head	Nelson	Weaver
Callahan	Howell	Nettles	White (Covington)
Coburn	Ingalls	O'Neal	White (Perry)
Cox	Inzer	Pfleger	Wood (Bibb)
Dobbs (Fayette)	Kaul	Pinkston	—59

Nays: Mr. Shirley —1

And the bill:

H. 62. To amend Section 1 of Act No. 301, S. 222, approved August 14, 1947, which Act makes annual appropriations to provide old age assistance to certain retired school teachers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Barnett	Brannan	Callahan
Adams (Dale)	Beatty	Brassell	Coburn
Adams (Jefferson)	Benford	Broadwater	Cox
Armstrong	Black	Buckner	Crocker

Crook	Haynes (Lowndes)	Meeks	Robinson
Denton	Head	Merrill	Sellers
Dobbs (Elmore)	Howell	Miller	Shelton
Dobbs (Fayette)	Ingalls	Molette	Sightler
Duffee	Inzer	Nelson	Stone
Dumas	Kaul	Nettles	Taylor (Autauga)
Dyar	Knight	O'Neal	Taylor (Hale)
Faulk	Larkins	Pfleger	Thompson (Crenshaw)
Ganey	Lovelace	Pinkston	Wallace
Garrett	McClendon	Pinson	Ward
George	McDonald	Pruitt	Weaver
Gillis	Malone	Ramey	White (Covington)
Hankins	Martin	Richardson	White (Perry)
Hardy	Mathison	Roberts	Wood (Bibb)
Haynes (Franklin)			

—73

And the bill:

H. 63. To make a deficiency appropriation to the Teachers' Special Pension Fund created by, or provided for in, Act No. 209, S. 62, approved July 7, 1945, and Act No. 301, S. 222, approved August 14, 1947, to supplement the benefits paid under said Acts.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Knight	Pruitt
Adams (Dale)	Duffee	Larkins	Ramey
Adams (Jefferson)	Dumas	Lovelace	Richardson
Armstrong	Dyar	McClendon	Roberts
Barnett	Faulk	McDonald	Robinson
Beatty	Ganey	Malone	Sellers
Benford	Garrett	Martin	Shelton
Black	George	Mathison	Sightler
Brannan	Gillis	Meeks	Stone
Brassell	Hankins	Merrill	Taylor (Autauga)
Broadwater	Hardy	Miller	Taylor (Hale)
Buckner	Haynes (Franklin)	Molette	Thompson (Crenshaw)
Callahan	Haynes (Lowndes)	Nelson	Wallace
Coburn	Head	Nettles	Ward
Cox	Howell	O'Neal	Weaver
Crocker	Ingalls	Pfleger	White (Covington)
Crook	Inzer	Pinkston	White (Perry)
Denton	Kaul	Pinson	Wood (Bibb)
Dobbs (Elmore)			

—73

And the bill:

H. 54. To make a transfer of funds appropriated to the use of the Legislative Reference Service for expenses to the Service's appropriation for salaries.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Armstrong	Benford	Brassell
Adams (Dale)	Barnett	Black	Broadwater
Adams (Jefferson)	Beatty	Brannan	Coburn

Cox	Hardy	Meeks	Robinson
Crocker	Haynes (Lowndes)	Merrill	Sellers
Crook	Head	Miller	Shelton
Denton	Hornsby	Molette	Shirley
Dobbs (Elmore)	Howell	Nelson	Sightler
Dobbs (Fayette)	Inzer	Nettles	Stone
Dumas	Kaul	O'Neal	Taylor (Autauga)
Dyar	Knight	Pfleger	Taylor (Hale)
Faulk	Larkins	Pinkston	Thagard
Ganey	Lovelace	Pinson	Wallace
Garrett	McClendon	Pruitt	Ward
George	McDonald	Ramey	White (Covington)
Gillis	Martin	Richardson	Wood (Bibb)
Hankins	Mathison	Roberts	

—67

And the bill:

H. 71. To ratify, confirm and validate the allocation and distribution heretofore made by the State of Alabama Building Commission of the sum of \$65,000.00 to each of the Regional Tuberculosis Sanatoria located in District No. 1 at Decatur, Alabama and in District No. 4, Etowah County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Inzer	Richardson
Adams (Dale)	Duffee	Knight	Roberts
Adams (Jefferson)	Dumas	Larkins	Robinson
Armstrong	Dyar	Lovelace	Sellers
Barnett	Evans	McClendon	Shelton
Beatty	Faulk	McDonald	Shirley
Benford	Ganey	Martin	Sightler
Black	Garrett	Mathison	Stone
Brannan	George	Merrill	Taylor (Autauga)
Brassell	Gibson	Miller	Taylor (Hale)
Broadwater	Gillis	Molette	Thagard
Buckner	Hankins	Nelson	Thompson (Crenshaw)
Callahan	Hardy	Nettles	Thompson (Pike)
Coburn	Haynes (Lowndes)	O'Neal	Wallace
Cox	Head	Pfleger	Ward
Crocker	Hornsby	Pinson	Weaver
Crook	Howell	Pruitt	White (Covington)
Denton	Ingalls	Ramey	Wood (Bibb)
Dobbs (Elmore)			

—73

And the bill:

H. 11. Proposing an amendment to the Constitution of Alabama relative to Franklin County.

Was taken up.

Mr. Haynes of Franklin offered the following amendment:

Amend H. B. 11 by striking the first sentence of Section 2 and inserting in lieu of said sentence the following:

"An election upon the proposed amendment is ordered to be held at the next General or Special election to be held in the State of Alabama after January first 1951."

And the amendment was adopted.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Elmore)	Larkins	Ramey
Adams (Dale)	Dobbs (Fayette)	Lovelace	Roberts
Adams (Jefferson)	Dumas	McClendon	Robinson
Armstrong	Dyar	McDonald	Shelton
Benford	Ganey	Martin	Shirley
Black	George	Mathison	Sightler
Brannan	Gillis	Merrill	Taylor (Hale)
Brassell	Hankins	Miller	Thompson (Crenshaw)
Broadwater	Hardy	Molette	Thompson (Pike)
Buckner	Haynes (Franklin)	Nelson	Wallace
Callahan	Haynes (Lowndes)	Nettles	Ward
Coburn	Head	O'Neal	Weaver
Crocker	Hornsby	Pfleger	White (Covington)
Crook	Howell	Pinson	White (Perry)
Denton	Inzer	Pruitt	Wood (Bibb)

—60

And said bill, H. 11, as thus amended, was read a third time at length and lost.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Elmore)	Larkins	Robinson
Adams (Dale)	Dobbs (Fayette)	McClendon	Sellers
Adams (Jefferson)	Dyar	McDonald	Shelton
Armstrong	Ganey	Martin	Shirley
Benford	George	Mathison	Sightler
Black	Gillis	Merrill	Taylor (Hale)
Brannan	Hankins	Miller	Thompson (Crenshaw)
Brassell	Hardy	Molette	Thompson (Pike)
Broadwater	Haynes (Franklin)	Nelson	Wallace
Buckner	Haynes (Lowndes)	Nettles	Ward
Callahan	Head	O'Neal	Weaver
Coburn	Hornsby	Pinson	White (Covington)
Crocker	Howell	Ramey	White (Perry)
Crook	Ingalls	Roberts	Wood (Bibb)
Denton	Knight		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S. J. R. 19. Be it resolved by the State Senate of Alabama, the House of Representatives concurring, that this 7th Special Session, and "Lame Duck Legislature", when it adjourns today to meet Thursday, October 19, 1950 at 10:00 o'clock.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the rules were suspended and the House concurred in and adopted the S. J. R. 19 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Lowe and Kendall:

S. J. R. 18. WHEREAS: The President of the United States has, by executive order, stopped the export on all cotton from this country, and

WHEREAS, this act has resulted in a decline in the price of cotton of approximately \$8.50 per bale, and threatens to reduce the price still further, thereby taking millions of dollars of income from the American farmer, and

WHEREAS, farmers do not deny that the world situation is critical and may require drastic action on the part of our Government—it is not fair to allow a disproportionate share of the burden to fall on any one segment of society.

THEREFORE, be it resolved that We, The Senate of Alabama, the House concurring, do jointly deplore the fate that has befallen our cotton farmers, and urge our senators and members of the Congress from this state to exert their energies and influence to see that the economic burden of the present conflict is shared as nearly equal as possible by all our people; that, if it is necessary to control the price of farm commodities, that prices of all other commodities and wages be controlled on a fair and equal basis.

We request that the secretary of the Senate send copies of this resolution to Governors and Commissioners of Agriculture of the Southern states.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 18 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RECESS

On motion of Mr. Stone the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 26. Proposing an amendment to the Constitution of Alabama relating to Fayette County, and ordering an election thereon.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 42. To repeal Act No. 263, S. 403, approved July 22, 1949 (Acts of Alabama, 1949, page 388), entitled "An Act To prohibit any person who carries mail under a contract with the United States from carrying passengers; to apply in and only in counties having a population of not less than 36,500 nor more than 42,400 inhabitants according to the most recent federal census."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Cox	Hardy	Ramey
Adams (Dale)	Crook	Haynes (Franklin)	Richardson
Adams (Jefferson)	Denton	Haynes (Lowndes)	Roberts
Armstrong	Dobbs (Fayette)	Howell	Sellers
Beatty	Duffee	Inzer	Shelton
Benford	Dumas	Larkins	Shirley
Black	Dyar	McClendon	Sightler
Brannan	Faulk	McDonald	Taylor (Autauga)
Brassell	Ganey	Martin	Taylor (Hale)
Broadwater	Garrett	Meeks	Thompson (Crenshaw)
Brown	George	Merrill	Thompson (Pike)
Buckner	Gibson	Miller	Wallace
Callahan	Gillis	Molette	Weaver
Coburn	Hankins	Nelson	Wood (Bibb)

—56

And the bill:

H. 50. To provide that the tax anticipation bonds, warrants or certificates of indebtedness issued pursuant to a constitutional amendment proposed by Act No. 570 of 1949, General Acts of Alabama of 1949, pp. 897-899, submitted December 13, 1949, and proclaimed ratified December 21, 1949, are authorized investments for any fiduciary.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Crook	Haynes (Lowndes)	Ramey
Adams (Dale)	Denton	Howell	Richardson
Adams (Jefferson)	Dobbs (Fayette)	Inzer	Roberts
Armstrong	Duffee	Larkins	Sellers
Barnett	Dumas	McClendon	Shelton
Beatty	Dyar	McDonald	Shirley
Benford	Faulk	Martin	Sightler
Black	Ganey	Meeks	Taylor (Autauga)
Brannan	Garrett	Merrill	Taylor (Hale)
Brassell	George	Miller	Thompson (Crenshaw)
Broadwater	Gibson	Molette	Thompson (Pike)
Callahan	Gillis	Nelson	Wallace
Coburn	Hankins	Nettles	Weaver
Cox	Hardy	O'Neal	Wood (Bibb)

—56

And the bill:

H. 51. Relating to powers of committees of the Legislature of Alabama or of either House thereof; empowering legislative committees to investigate any subject respecting which they may desire information in aid of the proper discharge of their functions; providing for the compulsory attendance of witnesses; prescribing penalties for contempts and false swearing.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend Section 1, of House Bill No. 51, by adding the following after the last sentence of said section:

"Any sheriff, highway patrol officer, or the sergeant-at-arms may serve said summons, and the witness shall receive the same witness fees and mileage as now provided by law in civil cases".

And the amendment was adopted.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Cox	Hardy	O'Neal
Adams (Dale)	Crook	Haynes (Franklin)	Ramey
Adams (Jefferson)	Denton	Haynes (Lowndes)	Richardson
Armstrong	Dobbs (Fayette)	Howell	Sellers
Barnett	Duffee	Inzer	Shelton
Beatty	Dumas	Larkins	Shirley
Benford	Dyar	McClendon	Sightler
Black	Faulk	McDonald	Taylor (Autauga)
Brannan	Ganey	Martin	Taylor (Hale)
Brassell	Garrett	Meeks	Thompson (Pike)
Broadwater	George	Merrill	Wallace
Brown	Gibson	Miller	Weaver
Buckner	Gillis	Molette	Wood (Bibb)
Coburn	Hankins	Nelson	

—55

And said bill, H. 51, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Cox	Hardy	O'Neal
Adams (Dale)	Crook	Haynes (Franklin)	Ramey
Adams (Jefferson)	Denton	Haynes (Lowndes)	Richardson
Armstrong	Dobbs (Fayette)	Howell	Sellers
Barnett	Duffee	Inzer	Shelton
Beatty	Dumas	Larkins	Shirley
Benford	Dyar	McClendon	Sightler
Black	Faulk	McDonald	Taylor (Autauga)
Brannan	Ganey	Martin	Taylor (Hale)
Brassell	Garrett	Meeks	Thompson (Crenshaw)
Broadwater	George	Merrill	Thompson (Pike)
Brown	Gibson	Miller	Wallace
Buckner	Gillis	Molette	Weaver
Coburn	Hankins	Nelson	Wood (Bibb)

—56

And the bill:

H. 35. To provide for educational benefits to children and widows of deceased veterans; to provide for educational benefits for the children, wives and veterans who are suffering from a 40% or more service-connected disability; and to provide for correspondence and extension courses for veterans.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Cox	Hardy	Ramey
Adams (Dale)	Crook	Haynes (Franklin)	Roberts
Adams (Jefferson)	Denton	Howell	Sellers
Armstrong	Dobbs (Fayette)	Inzer	Shelton
Beatty	Duffee	Larkins	Shirley
Benford	Dumas	McClendon	Sightler
Black	Dyar	McDonald	Taylor (Autauga)
Brannan	Faulk	Martin	Taylor (Hale)
Brassell	Ganey	Meeks	Thompson (Crenshaw)
Broadwater	Garrett	Merrill	Thompson (Pike)
Brown	George	Miller	Wallace
Buckner	Gibson	Molette	Ward
Callahan	Gillis	Nelson	Weaver
Coburn	Hankins	O'Neal	Wood (Bibb)

—56

And the bill:

H. 74. To amend Section 1 of Act No. 607, S. 202, approved October 9, 1947 (General Acts of Alabama, 1947, page 456) entitled "An Act To make an annual appropriation to provide a retirement benefit to any State employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee; and to provide a supplement to the retirement benefit of any state employee who had attained age 60 on October 1, 1945, and who is or will be retired under the provisions of Act 515, approved July 9, 1945 with a minimum of 15 years of service as a state employee, and who is not entitled under the provisions of said Act 515 to receive a retirement benefit in excess of \$60.00 per month; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund appropriated by this act."

Was taken up.

Mr. Gibson offered the following amendment to the bill, H. 74:

To amend H. B. No. 74 by striking therefrom the words and figures:

"For each of the fiscal years ending September 30, 1950 and September 30, 1951", wherever same appear and by inserting in lieu thereof the following: "For each of the fiscal years ending September 30, 1948 and September 30, 1949."

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Barnett	Brannan	Callahan
Adams (Dale)	Beatty	Brassell	Coburn
Adams (Jefferson)	Benford	Broadwater	Cox
Armstrong	Black	Brown	Crook

Denton	Hardy	Miller	Shirley
Dobbs (Fayette)	Haynes (Franklin)	Molette	Sightler
Duffee	Haynes (Lowndes)	Morring	Taylor (Autauga)
Dumas	Howell	Nelson	Taylor (Hale)
Dyar	Inzer	O'Neal	Thompson (Crenshaw)
Faulk	Larkins	Pinson	Thompson (Pike)
Ganey	McClendon	Ramey	Wallace
Garrett	McDonald	Richardson	Ward
George	Martin	Roberts	Weaver
Gibson	Meeks	Sellers	White (Perry)
Gillis	Merrill	Shelton	Wood (Bibb)
Hankins			

—61

And said bill, H. 74, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Denton	Inzer	Richardson
Adams (Dale)	Dobbs (Fayette)	Larkins	Roberts
Adams (Jefferson)	Duffee	McClendon	Sellers
Armstrong	Dumas	McDonald	Shelton
Barnett	Dyar	Martin	Shirley
Beatty	Faulk	Meeks	Sightler
Benford	Ganey	Merrill	Taylor (Autauga)
Black	Garrett	Miller	Taylor (Hale)
Brannan	George	Molette	Thompson (Crenshaw)
Broadwater	Gibson	Morring	Thompson (Pike)
Brown	Gillis	Nelson	Wallace
Buckner	Hankins	O'Neal	Ward
Callahan	Hardy	Pfleger	Weaver
Coburn	Haynes (Franklin)	Pinson	White (Perry)
Cox	Haynes (Lowndes)	Ramey	Wood (Bibb)
Crook	Howell		

—62

And the bill:

H. 4. Relating to legislative representation; making an apportionment of senators and representatives among the several counties; providing for their election; and repealing conflicting laws.

Was taken up.

Mr. Adams of Jefferson offered the following substitute for the bill, H. 4:

A BILL TO BE ENTITLED AN ACT

To provide a reapportionment of representation in the Legislature of Alabama; fixing the number of Senators and dividing the State into as many senatorial districts as there are Senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The Senate of Alabama shall be composed of thirty-five Senators representing the thirty-five senatorial districts into which the State is hereby divided as follows, each district to elect one Senator and no more:

First District, the counties of Lauderdale and Limestone; Second District, the counties of Madison and Jackson; Third District, the counties of Lawrence and Morgan; Fourth District, the counties of Colbert

and Franklin; Fifth District, the counties of Calhoun and Cleburne; Sixth District, the counties of Marion and Winston; Seventh District, the counties of Marshall and DeKalb; Eighth District, the counties of Lamar and Pickens; Ninth District, the counties of Fayette and Walker; Tenth District, the counties of Etowah and Cherokee; Eleventh District, the counties of Blount and Cullman; Twelfth District, the counties of St. Clair and Talladega; Thirteenth District, the county of Jefferson; Fourteenth District, the counties of Bibb and Tuscaloosa; Fifteenth District, the counties of Chilton and Shelby; Sixteenth District, the counties of Chambers and Randolph; Seventeenth District, the counties of Clay and Coosa; Eighteenth District, the counties of Macon and Tallapoosa; Nineteenth District, the counties of Lee and Russell; Twentieth District, the county of Mobile; Twenty-first District, the counties of Henry and Houston; Twenty-second District, the counties of Barbour and Bullock; Twenty-third District, the counties of Crenshaw and Pike; Twenty-fourth District, the counties of Coffee and Dale; Twenty-fifth District, the counties of Butler and Lowndes; Twenty-sixth District, the counties of Autauga and Elmore; Twenty-seventh District, the counties of Covington and Geneva; Twenty-eighth District, the counties of Conecuh and Escambia; Twenty-ninth District, the counties of Baldwin and Monroe; Thirtieth District, the counties of Choctaw and Washington; Thirty-first District, the counties of Clarke and Wilcox; Thirty-second District, the counties of Dallas and Perry; Thirty-third District, the counties of Greene and Hale; Thirty-fourth District, the counties of Marengo and Sumter; Thirty-fifth District, the county of Montgomery.

Section 2. The Senators provided for in Section 1 shall be elected by the qualified electors of the several districts on the first Tuesday after the first Monday in November in the year 1954 and every fourth year thereafter. Provided, That in districts composed of more than one county the Senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within the district; the first Senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding Senator.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

And the substitute was 'ost.

Yeas 38; Nays 2.

Yeas:

Mr. Speaker	Coburn	Howell	Miller
Adams (Jefferson)	Cox	Inzer	O'Neal
Barnett	Denton	Kaul	Roberts
Beatty	Dobbs (Fayette)	Larkins	Shirley
Benford	Dumas	Lovelace	Sightler
Black	Dyar	McClendon	Taylor (Autauga)
Brannan	Garrett	McDonald	Thompson (Crenshaw)
Brassell	George	Meeks	Thompson (Pike)
Broadwater	Hankins	Merrill	Weaver
Buckner	Haynes (Franklin)		

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Nays: Messrs. Sellers and Wallace

—2

The motion of Mr. Adams of Jefferson to postpone further consideration of the bill, H. 4, until the next Legislative Day was lost.

Yeas 35; Nays 12.

Yeas:

Mr. Speaker	Buckner	Haynes (Franklin)	Richardson
Adams (Jefferson)	Coburn	Inzer	Roberts
Armstrong	Denton	Kaul	Shirley
Barnett	Dobbs (Fayette)	Larkins	Sightler
Beatty	Dyar	Lovelace	Taylor (Autauga)
Benford	Ganey	Meeks	Thompson (Crenshaw)
Black	Garrett	Miller	Thompson (Pike)
Brassell	George	Morring	Weaver
Broadwater	Hankins	O'Neal	

—35

Nays:

Messrs.:	Hardy	Merrill	Shelton
Adams (Dale)	Haynes (Lowndes)	Molette	Taylor (Hale)
Brannan	Howell	Robinson	Ward
Crook			

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CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Secretary of State at 2:45 P. M. on October 18, 1950.
H. 26.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Beatty, the House adjourned until Thursday, October 19, 1950, at ten o'clock A. M.

Yeas 32; Nays 31.

Yeas:

Mr. Speaker	Denton	Hankins	Morring
Barnett	Dobbs (Elmore)	Haynes (Franklin)	Nelson
Beatty	Dobbs (Fayette)	Inzer	O'Neal
Benford	Dyar	Larkins	Richardson
Black	Ganey	McDonald	Roberts
Broadwater	Garrett	Meeks	Thompson (Crenshaw)
Buckner	George	Merrill	Thompson (Pike)
Coburn	Gillis	Miller	Weaver

—32

Nays:

Messrs.:	Duffee	McClendon	Shirley
Adams (Dale)	Dumas	Martin	Sightler
Adams (Jefferson)	Faulk	Molette	Stone
Brannan	Gibson	Pflegler	Taylor (Autauga)
Brassell	Hardy	Pinson	Wallace
Brown	Haynes (Lowndes)	Ramey	Ward
Callahan	Howell	Sellers	White (Perry)
Crook	Kaul	Shelton	Wood (Bibb)

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SEVENTH DAY

House of Representatives,
Montgomery, Alabama,
Thursday, October 19, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend T. A. Russell, Pastor, Cloverdale Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Duffee	Inzer	Pinson
Adams (Dale)	Dumas	Kaul	Ramey
Adams (Jefferson)	Dyar	Larkins	Roberts
Armstrong	Faulk	McClendon	Robinson
Barnett	Ganey	McDonald	Sadler
Benford	Garrett	Martin	Shelton
Black	George	Mathison	Shirley
Brassell	Gillis	Meeks	Sightler
Broadwater	Givhan	Merrill	Taylor (Autauga)
Brown	Hankins	Miller	Taylor (Hale)
Callahan	Hardy	Molette	Thomas
Coburn	Haynes (Franklin)	Morring	Thompson (Crenshaw)
Cox	Haynes (Lowndes)	Nettles	Thompson (Pike)
Crocker	Head	Norman	Wallace
Crook	Hornsby	O'Neal	Ward
Denton	Howell	Pflegler	Weaver
Dobbs (Fayette)	Ingalls	Pinkston	White (Perry)

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Sixth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Sixth Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Sixth Legislative Day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S. J. R. 20. WHEREAS the State has suffered a great loss in the passing of Mrs. Birdie Inzer Doster, the sister of the distinguished Lieutenant Governor of Alabama and a civil and religious leader who contributed substantial services to the progress and culture of her community and this State; now therefore

Be it Resolved by the Senate, the House Concurring,

That the passing of Mrs. Doster is deeply mourned and her memory revered, and the sympathy of the members of the two Houses is hereby extended to her bereaved relatives.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell the rules were suspended and the House concurred in and adopted the S. J. R. 20 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Russell:

S. 53. To ratify, confirm and validate the allocation and distribution heretofore made by the State of Alabama Building Commission of the sum of \$65,000.00 to each of the Regional Tuberculosis Sanatoria located in District No. 1 at Decatur, Alabama and in District No. 4, Etowah County, Alabama.

Also:

By Mr. Hughes:

S. 52. To fix the salary of the Deputy Solicitor of Geneva County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that the following Local Bill affecting Geneva County will be introduced for passage at the Present Extraordinary Session of the Legislature of the State of Alabama which will re-convene on October 10, 1950.

A BILL ENTITLED AN ACT

To Fix the Salary of the Deputy Solicitor of Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Salary of the Deputy Solicitor for Geneva County, Alabama, be and the same is hereby fixed at the sum of Eighteen Hundred Dollars (\$1800.00) per year, payable in monthly installments of One Hundred Fifty (\$150.00) Dollars per month, payable out of the General Funds of Geneva County, Alabama.

Section 2. That all Laws and parts of Laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its passage and approval by the Governor.

47-4tc

STATE OF ALABAMA GENEVA COUNTY

Before me, William J. Holley, a Notary Public, in and for said State and County personally appeared Orsen B. Spivey who being by me first duly sworn, deposes and says: That he is Editor of the Geneva County Reaper, a newspaper published in Geneva, Geneva County, Alabama,

which said newspaper has a general circulation in the county in which it is published; that the attached is a true, correct, and complete copy of a legal notice which was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 7th day of September, 1950, the 14th day of September, 1950, the 21st day of September, 1950, and the 28th day of September, 1950; that said publication was made without cost to the State of Alabama and that the attached notice of the intention to introduce in the Legislature of Alabama a Local Bill to fix the salary of the Deputy Solicitor of Geneva County, Alabama, was published as aforesaid and that the attached notice appeared in the issues of the Geneva County Reaper on the dates mentioned; and that said newspaper has been mailed under the second class mailing privilege for more than fifty-two consecutive weeks prior to the first publication of the notice hereto attached.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 2nd day of October, 1950.

WILLIAM J. HOLLEY,
Notary Public.

Also:

By Mr. Quarles:

S. 55. To empower the governing body of the City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, to levy in said city, additional special privilege or license taxes paralleling, with like provisions in said city, such State of Alabama taxes as are levied by said State by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, except that only fifty per cent (50%) of the State levy provided by subdivisions (a), (b) and (c) of said Section 753 shall be made and shall be collected by said city; to provide a lien in favor of the City against the property of taxpayers liable for such taxes and to make the provisions of the Revenue Laws of the State of Alabama applicable to the enforcement of such liens; to provide that taxes which may be levied hereunder shall constitute a debt due said City and to provide methods of collection; to provide for the collection of such taxes by the Treasurer of said city and for reports to be made by taxpayers liable for such taxes; to provide that the Treasurer of said city as to the collection of such taxes shall have the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto; to provide for expenses of clerk hire and other expenses incurred by said city in collecting, handling and disbursing such taxes; to provide that the taxes which may be levied hereunder shall be in addition to all other licenses and taxes which may be levied by said city and a condition precedent to engaging in any business taxable hereunder, except as may be otherwise provided; to provide for the time and manner, method and provision for the collection of said taxes; to provide that such taxes which may be levied hereunder shall be added by the taxpayer to the sales price and collected from the purchaser on all sales affected hereby and to provide the method of determining the amounts to be added to sales and collected from the purchaser and to provide a penalty for failure or refusal to abide by such requirements; to provide for the allocation and use of the taxes which may arise hereunder; to provide penalties for failure to comply with the provisions of this act; and to provide the governing body of said city with authority to call and hold an election to submit to the qualified electors of said city the question as to whether or not such taxes shall be levied, the length of time such taxes shall run and the rate thereof; to provide when this act shall go into effect.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that the City of Selma, Alabama, a municipal corporation will apply for passage of a local law for said City of Selma at the 1950 special session of the Legislature of Alabama called to convene on August 9, 1950 and recessed until October 10, 1950, which local law reads as follows:

A BILL
TO BE ENTITLED
AN ACT

To empower the governing body of the City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, to levy in said city, additional special privilege or license taxes paralleling, with like provisions in said city, such State of Alabama taxes as are levied by said State by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, except that only fifty per cent (50 per cent) of the State levy provided by subdivisions (a), (b), and (c) of said Section 753 shall be made and shall be collected by said city; to provide a lien in favor of the City against the property of taxpayers liable for such taxes and to make the provisions of the Revenue Laws of the State of Alabama applicable to the enforcement of such liens; to provide that taxes which may be levied hereunder shall constitute a debt due said City and to provide methods of collection; to provide for the collection of such taxes by the Treasurer of said city and for reports to be made by taxpayers liable for such taxes; to provide that the Treasurer of said city as to the collection of such taxes shall have the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto; to provide for expenses of clerk hire and other expenses incurred by said city in collecting, handling and disbursing such taxes; to provide that the taxes which may be levied hereunder shall be in addition to all other licenses and taxes which may be levied by said city and a condition precedent to engaging in any business taxable hereunder, except as may be otherwise provided; to provide for the time and manner, method and provision for the collection of said taxes; to provide that such taxes which may be levied hereunder shall be added by the taxpayer to the sales price and collected from the purchaser on all sales affected hereby and to provide the method of determining the amounts to be added to sales and collected from the purchaser and to provide a penalty for failure or refusal to abide by such requirements; to provide for the allocation and use of the taxes which may arise hereunder; to provide penalties for failure to comply with the provisions of this act; and to provide the governing body of said city with authority to call and hold an election to submit to the qualified electors of said city the question as to whether or not such taxes shall be levied, the length of time such taxes shall run and the rate thereof; to provide when this act shall go into effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, as herein provided, may levy, in addition to all other taxes of every kind now imposed by law, and may collect as herein provided, an additional, special privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates, against gross sales, or gross receipts, as the case may be, as follows: (a) Upon every person, firm or corporation engaged, or continuing within the City of Selma, Alabama, in business of selling at retail any tangible personal property whatsoever, including merchandise, and commodities of every kind and character, (not including, however, bonds or other evidences of debt or stocks), an amount equal to one per cent (1 per cent) of the gross proceeds of sales

of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required by said city on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. (b) Upon every person, firm or corporation engaged, or continuing within the City of Selma, Alabama in the business of conducting, or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudevills, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution within said city, or any athletic association thereof, or other association whether such institution or association be denominational, a state, a county, or a municipal institution or association or a state, county, or city school or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within the City of Selma, Alabama, an amount equal to one per cent (1 per cent) of the gross receipts of any such business. (c) Upon every person, firm or corporation engaged or continuing within the City of Selma, Alabama, in the business of selling any automotive vehicles or truck-trailer or semi-trailer, an amount equal to one-fourth ($\frac{1}{4}$) of one per cent (1 per cent) of the gross proceeds of the sale of said automotive vehicle, or truck-trailer, or semi-trailer. (d) The tax which may be levied hereunder shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines and punishments and deductions set out in Section 752 through Section 786 and Article Ten of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereof, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof.

Section 2. The taxes which may be levied, together with the interest and penalties which may be imposed under the authority of this act, shall be a lien upon the property of any person, firm or corporation due said taxes to the City of Selma, Alabama, and all of the provisions of the Revenue Laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes which may be levied hereunder.

Section 3. The taxes which may be levied hereunder shall constitute a debt due the City of Selma for the uses and purposes authorized herein and may be collected by civil suit in addition to the methods provided by law or herein otherwise provided.

Section 4. The taxes which may be levied hereunder shall be collected by and paid to the Treasurer of the City of Selma, Alabama in his official capacity. All reports required to be made to the Commissioner of Revenue of the State of Alabama as to State sales taxes under Section 752 through Section 786, Article Ten of Chapter 20 of Title 51 of the Code of Alabama as to such taxes which may be levied hereunder shall be made to the Treasurer of the City of Selma, Alabama, in his official capacity and, as to the taxes which may be levied hereunder, the said Treasurer of the City of Selma, Alabama shall have and exercise the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by Section 752 through Section 786 and by Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama; and amendments thereto as to State taxes therein levied.

There may be deducted out of the proceeds of said taxes such reasonable expense for clerk hire and other expenses incurred by the Treasurer of the City of Selma, Alabama in the collection, handling and disbursing of said monies as may be approved by the governing body of the City of Selma, Alabama.

Section 5. The taxes which may be imposed hereunder shall be in addition to all other licenses and taxes which may be levied by the City of Selma, Alabama, and a condition precedent to engaging in any business which may be taxable hereunder in the City of Selma, Alabama, except as herein otherwise specifically provided.

Section 6. The taxes which may be levied hereunder shall be due and collected at the times and in the manner as set out in Section 752 through Section 786 and in Article Ten of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, and all of the methods and provisions given to the State of Alabama as to the collection of said taxes under the provisions of Section 752 through Section 786 and Article Ten of Chapter 20 of Title 51 of said Code of Alabama, and amendments thereto, are given hereby to the City of Selma, Alabama and to the Treasurer of the City of Selma, Alabama, for the use of the City of Selma, Alabama, as to the taxes which may be levied hereunder, except as herein otherwise specifically provided.

Section 7. Every person, firm or corporation, association or co-partnership engaged in or continuing within the City of Selma, Alabama in the business for which a license or privilege tax may be required under the authority of this act shall add to the sales price and collect from the purchaser on all sales upon the gross receipts or gross proceeds, of which there shall be levied by the City of Selma under the authority of this act a sales tax at the rate of one per cent (1 per cent) an amount equal to the following: No amount on sales of thirty cents (30c) or less; one cent (1c) on sales of thirty-one cents (31c) and over, but not in excess of One Dollar thirty cents (\$1.30); one cent (1c) additional for each One Dollar (\$1.00) or fraction thereof in excess of One Dollar thirty cents (\$1.30), provided, however, that upon all sales the gross receipts or gross proceeds of which shall be taxed by the City of Selma under the authority of this act at the rate of one-fourth ($\frac{1}{4}$) of one per cent (1 per cent), there shall be added to the sales price and collected from the purchaser by such person, firm, corporation, association or co-partnership described in this act, an amount equal to one-fourth ($\frac{1}{4}$) of one per cent (1 per cent) of such sales price. It shall be unlawful for any person, firm, corporation, association or co-partnership described in this act to fail or refuse to add to the sales price and collect from the purchaser the amount authorized to be levied by this act to be so added to the sales price and collected from the purchaser; and it shall likewise be unlawful to refund or offer to refund all or any part of the amount collected, or to absorb or advertise directly or indirectly the absorption or refund of the amount required to be added to the sales price and collected from the purchaser, or any portion of such amount. Any person, firm, corporation, association or co-partnership who shall violate any of the provisions of this act shall be guilty of a misdemeanor against the City of Selma, Alabama and, upon conviction, shall be fined by the Recorder of the City of Selma, Alabama in a sum of not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars, or may be imprisoned in the City Jail for not more than six (6) months or by both such fine and imprisonment, and each act and violation of the provisions of this section shall constitute a separate offense. The provisions of this section that there shall be added to the sales price and collected from the purchaser by the City of Selma, Alabama the amounts provided herein shall in no way relieve the person, firm, corporation, association or co-partnership described in this act of the tax which may be levied by the City of Selma, Alabama under the authority of this Act; nor shall the inability, impracticability, refusal or failure to add to the sales price and collect from the purchaser the

amounts provided herein relieve such person, firm, corporation, association or co-partnership from the tax which may be levied by the City of Selma, Alabama under the authority of this act.

Section 8. (a) Seventy-five per cent (75 per cent) of the net revenues arising from the taxes which may be levied by the City of Selma, Alabama under the authority of this act shall be allocated and used exclusively for public school purposes in the City of Selma, and to include the maintenance and operation of public schools and the construction and improvement of public school buildings and grounds and the payment of the salaries of teachers and other school employees, and the purchase of lands to be used for public school purposes.

(b) Twenty-five per cent (25 per cent) of the net revenues arising from said taxes shall be allocated and used exclusively for constructing, maintaining, repairing, operating, expanding and improving the storm water drainage system of said city in said city.

(c) The City of Selma shall have the right and authority to use the net revenues which arise from said taxes under the authority of this act to the payment of indebtedness contracted by the City for public school purposes, including the maintenance and operation of public schools and the construction and improvement of public school buildings and grounds and the payment of the salaries of teachers and other school employees, and the purchase of lands to be used for public school purposes, and also for constructing, maintaining and repairing, operating and improving the storm water drainage system of said city in said city, or to any one or more of these purposes, in the proportions allocated and provided in Section 8 (a) and Section 8 (b) of this act.

Section 9. Any person who shall be subject to legislation which may be hereafter adopted by the governing body of Selma under the authority of this act who shall fail to make the reports or any of them, as required, or who shall fail to keep the records as required, shall be guilty of a misdemeanor against the City of Selma and, upon conviction, shall be fined not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars for each offense, and each month of such failure shall constitute a separate offense.

Section 10. Any person who shall be subject to legislation which may be hereafter adopted by the governing body of Selma under the authority of this act who shall willfully refuse to make the reports as required by said city, or who shall refuse to permit the examination of his records by the City of Selma, or its duly authorized agents, shall be guilty of a misdemeanor against the City of Selma, and, upon conviction, shall be fined not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars for each offense and, in addition, may be imprisoned in the City Jail for a period of not to exceed six (6) months. Each month of failure to make such reports shall constitute a separate offense and each refusal of a written demand of the City of Selma to examine, inspect or audit such records shall constitute a separate offense.

Section 14. Any person who shall be subject to legislation which may be hereafter adopted by the governing body of Selma under the authority of this act who shall violate any of the provisions of such legislation may be restrained by the City of Selma from continuing in business and the proper prosecution shall be instituted in the name of the City of Selma by its City Attorney until such person shall have complied with the provisions of such legislation.

Section 12. Before any tax is levied under the authority of this act, the governing body of said city shall first submit the question as to whether or not such tax shall be levied, the length of time it shall run, not exceeding twenty (20) years, and the rate of the tax, to the qualified electors of said city at an election, which said election shall be called in the following manner: The governing body of said city shall pass a resolution reciting that, in the opinion of said governing body, it is to the

interest of said city that such taxes shall be levied for the purposes authorized in this act and calling upon the Mayor and Clerk of said city, in their official capacities, to call an election for the purpose of submitting to the qualified electors of said city the question as to whether or not the taxes authorized hereunder shall be levied, stating the rates proposed and the time which the said taxes shall run. Upon such certificate said Mayor and Clerk of said city shall by proclamation, call an election, which proclamation shall be in substance as follows: "To the Electors of the City of Selma, Alabama: The City Council of the City of Selma, Alabama having passed a resolution reciting that it is to the interest of the City of Selma that an additional, special privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales or gross receipts, as the case may be, shall be levied as follows: (a) Upon every person, firm or corporation engaged or continuing within the City of Selma, Alabama, in business of selling at retail any tangible personal property whatsoever, including merchandise, and commodities of every kind and character, (not including, however, bonds or other evidences of debt or stocks), an amount equal to one per cent (1 per cent) of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required by said city on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. (b) Upon every person, firm or corporation engaged, or continuing within the City of Selma, Alabama in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudevills, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within said city, or any athletic association thereof, or other association whether such institution or association be denominational, a state, a county, or a municipal institution or association or a state, county or city school or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within the City of Selma, Alabama, an amount equal to one per cent (1 per cent) of the gross receipts of any such business. (c) Upon every person, firm or corporation engaged or continuing within the City of Selma, Alabama, in the business of selling any automotive vehicles or truck-trailer or semi-trailer, an amount equal to one-fourth ($\frac{1}{4}$) of one per cent (1 per cent) of the gross proceeds of the sale of said automotive vehicle, or truck-trailer or semi-trailer. (d) That the tax which may be levied shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines and punishments and deductions set out in Section 752 through Section 786 and Article Ten of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereof, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof, for a period of twenty (20) years, and which said resolution requests the undersigned officials to call an election to submit to the qualified electors the aforesaid proposition.

Now, therefore, an election be and is hereby called to be held at the regular polling places in the City of Selma, Alabama on the _____ day of _____, 19_____, at which said election the question as to

whether or not the said taxes shall be levied in said city shall be voted upon by the qualified electors of said city.

Witness our hands this the _____ day of _____, 19_____.

As Mayor

As Clerk "

Notice of said election shall be given by publication of the aforesaid proclamation once a week for four (4) consecutive weeks in any newspaper published in Dallas County, Alabama. The said election shall be held, conducted and canvass of the returns thereof made and certified in the same manner as elections for city officers. Except as herein otherwise provided, the general statute relating to the election for city officers shall govern in elections held hereunder. The Mayor of Selma shall cause ballots to be printed and distributed at such election, which said ballot shall be in substance as follows: "Shall an additional special privilege or license tax against the person on account of the business activities in the amount to be determined by the application of rates against gross sales or gross receipts, as the case may be, be levied as follows: (a) upon every person, firm or corporation engaged, or continuing within the City of Selma, Alabama, in business of selling at retail any tangible personal property whatsoever, including merchandise, and commodities of every kind and character, (not including, however, bonds or other evidences of debt or stocks), an amount equal to one per cent (1 per cent) of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required by said city on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. (b) Upon every person, firm or corporation engaged, or continuing within the City of Selma, Alabama in the business of conducting, or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution within said city, or any athletic association thereof, or other association whether such institution or association be denominational, a state, a county, or a municipal institution or association or a state, county or city school or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within the City of Selma, Alabama, an amount equal to one per cent (1 per cent) of the gross receipts of any such business. (c) Upon every person, firm or corporation engaged or continuing within the City of Selma, Alabama, in the business of selling any automotive vehicles or truck-trailer or semi-trailer, an amount equal to one-fourth ($\frac{1}{4}$) of one per cent (1 per cent) of the gross proceeds of the sale of said automotive vehicle, or truck-trailer or semi-trailer. (d) The tax which may be levied shall be subject to all exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines and punishments and deductions set out in Section 752 through Section 786 and Article Ten of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereof, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof, for a period of twenty (20) years, commencing on the _____

day of _____, 19____", and under the said above writing shall appear on the left hand side the words "For said tax" with appropriate lines or brackets marked "Yes," and on the right hand side the words "Against said Tax" with appropriate lines or brackets marked "No," and the person desiring to vote shall indicate his choice by marking a cross mark on the line or bracket opposite or under the words "Yes" or "No", whichever shall indicate his choice. The Mayor and Clerk of said city shall certify the results of said election to the City Council of said city and, if a majority voting at said election shall have voted for such tax, the said City Council may, at its next regular meeting after such certificate is received by it, impose said tax in the amounts and for the time submitted on the ballot.

Section 12. The City of Selma, Alabama may by proper legislation, in the event the taxes authorized to be levied hereunder are levied, allow a discount, not to exceed three per cent (3 per cent) of said taxes and due and payable to said city by any person, firm or corporation licensed under the provisions hereof. Provided, however, that no discount shall be authorized or allowed upon any such taxes which are not paid before delinquency, as in this act provided.

Section 13. Should any section, paragraph or portion of this act be declared unconstitutional, it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section 14. This act shall go into effect immediately upon its passage and approval, or its otherwise becoming law.

THE STATE OF ALABAMA THE COUNTY OF DALLAS

Before me, R. Randolph Smith, a Notary Public in and for said County in said State, personally appeared Mrs. F. T. Raiford, who is known to me and who, being first duly sworn, deposes and says as follows:

My name is Mrs. F. T. Raiford. I am Publisher and General Manager of The Selma Times Journal, a daily newspaper published in Selma, Dallas County, Alabama.

Attached hereto is a true copy of a notice published in The Selma Times Journal on the following dates: September 3, 1950, September 10, 1950, September 17, 1950 and September 24, 1950. Said notice was published by the City of Selma, Alabama in conformity with Section 106 of the Constitution of the State of Alabama and pertains to a sales tax for the City of Selma, Alabama.

MRS. F. T. RAIFORD,
Publisher and General Manager,
The Selma Times Journal.

Sworn to and subscribed before me this the 9th day of October, 1950.

R. RANDOLPH SMITH,
Notary Public, Dallas County, Alabama.

My Commission Expires January 3, 1953.

Also:

By Mr. Howle:

S. 42. For the relief of Mrs. Harry S. Parker as compensation for the death of her husband, Harry S. Parker, deceased, of Calhoun County, Alabama, as the result of injury received while he was in the line of and performing his duties as a road employee of Calhoun County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Take notice that at the next session of the Legislature of the State of Alabama, or any adjourned session thereof, a bill will be introduced as follows:

An act for the relief of Mrs. Harry S. Parker as compensation for the death of her husband, Harry S. Parker, deceased, of Calhoun County, Alabama, as the result of injury received while he was in the line of and performing his duties as a road employe of Calhoun County, Alabama.

Be It Enacted by the Legislature of Alabama:

Sec. 1. That the County Commission of Calhoun County, Alabama be, and it is hereby authorized to pay to Mrs. Harry S. Parker the sum of Two Thousand Dollars (\$2,000.00) as compensation to her and the minor children of Harry S. Parker for the death of her husband, Harry S. Parker, which occurred on December 29, 1949 as the result of injury received by him while working as an employe of said County, and while in the line of and performing his duties as an employe of the Road Department of Calhoun County, Alabama, said injury and death occurring under such circumstances that said widow and said minor children have no recourse at law to recover damages or compensation for his death.

Sec. 2. That the County Commission of Calhoun County, Alabama be, and it is hereby empowered and authorized to pay such compensation to Mrs. Harry S. Parker out of the general fund of Calhoun County, Alabama.

Sec. 3. That this act shall take effect immediately upon its passage and approval, or upon its otherwise becoming law.
Aug. 23-30; Sept. 6-13

THE ANNISTON STAR
Anniston, Ala.

Personally appeared before me Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of The Anniston Star, a daily newspaper published in Anniston, Ala., and that the attached notice was published on the following dates: August 23-30; September 6-13, 1950.

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 14th day of September, 1950.

CLARA B. WRIGHT,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 53—Judiciary.
- S. 52—Local Legislation.
- S. 55—Local Legislation.
- S. 42—Local Legislation.

REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report:

By Mr. Cater:

S. J. R. 5. WHEREAS Alabama State College for Negroes, Montgomery, Alabama, established seventy-five years ago for the purpose of serving as a State University for Negroes, is a Class A accredited College by the Southern Association of Colleges and Secondary Schools, is offering the Master's degree in Education, and graduated more Negroes with the Bachelor's degree last year than any other college in America, and

WHEREAS the late Honorable William Burns Paterson served as the first President of the College and gave it sound direction in its beginning, and

WHEREAS the present President, Dr. H. Council Trenholm, succeeded his father, Professor George W. Trenholm, as President of Alabama State College for Negroes twenty-five years ago, and has worked unceasingly with great diligence to build up the College, and

WHEREAS the College has exercised outstanding leadership in the harmonious and peaceful development of the Negro race to bring about its maximum contributions to the welfare of all the people of the State,

NOW THEREFORE BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That we do recognize the contributions of the Alabama State College for Negroes and especially take notice of the seventy-fifth anniversary of this College, and

2. That we express our appreciation to Dr. H. Council Trenholm on his twenty-fifth anniversary as President of Alabama State College for Negroes for his leadership and untiring efforts for the best development of the people of his race in their efforts to make the maximum contributions to the harmonious development of the people of this State.

And S. J. R. 5 was concurred in and adopted.

Also:

By Messrs. Lowe and Kendall:

S. J. R. 18. WHEREAS: The President of the United States has, by executive order, stopped the export of all cotton from this country, and

WHEREAS, this act has resulted in a decline in the price of cotton of approximately \$8.50 per bale, and threatens to reduce the price still further, thereby taking millions of dollars of income from the American farmer, and

WHEREAS, farmers do not deny that the world situation is critical and may require drastic action on the part of our Government—it is not fair to allow a disproportionate share of the burden to fall on any one segment of society.

THEREFORE, be it resolved that We, The Senate of Alabama, the House concurring, do jointly deplore the fate that has befallen our cotton farmers, and urge our senators and members of the Congress from this state to exert their energies and influence to see that the economic burden of the present conflict is shared as nearly equal as possible by all our people; that, if it is necessary to control the price of farm commodities, that prices of all other commodities and wages be controlled on a fair and equal basis.

We request that the secretary of the Senate send copies of this resolution to Governors and Commissioners of Agriculture of the Southern states.

And S. J. R. 18 was concurred in and adopted.

Also:

By Messrs. Brassell, Benford, Coburn, Howell, Dobbs (Fayette), Weaver, McDanal, Taylor (Autauga), Haynes (Franklin), Cole, Busby, Sight-

ler, Inzer, Miller, Ganey, Shelton, Ramey, Larkins, Thomas, Cox, Dyar:

H. J. R. 21. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that in accordance with the Amendment to the Constitution proposed by General Act No. 384 of the 1945 Legislature of Alabama and ratified by the people in the November 1946 election, each member of the Legislature, in addition to his travel allowance, shall be allowed expenses, other than actual expenses of traveling, incurred in the performance of his duties, the sum of \$10.00 per day; and the State Comptroller shall draw warrants in the sum of \$10.00 per day for eleven days to cover the expenses of each member of the Legislature, which expenses were incurred in the prior fiscal year. Said warrants to be drawn against the current appropriation to the Legislature for the fiscal year ending September 30, 1951.

And H. J. R. 21 was adopted.

Also:

By Messrs. Beck and Harris:

H. J. R. 17. Authorizing and directing the Clerk of the House of Representatives and the Secretary of the Senate to negotiate for, acquire, and supervise the installation of air conditioning on the second floor of the State Capitol building adjacent to the House and Senate Chambers, excluding the second floor of the North Wing and the second floor of the South Wing of the Capitol building.

Be it Resolved by the House of Representatives, the Senate concurring:

1. The Clerk of the House of Representatives and the Secretary of the Senate are authorized and directed to negotiate for, acquire, and supervise the installation of glass doors and the installation of air conditioning on the second floor of the State Capitol building including the offices located on said second floor in the west wing of the Capitol building adjacent to the House and Senate Chambers, excluding the second floor of the North Wing and the second floor of the South Wing of the Capitol building.

2. Payment for the acquisition and installation of such air conditioning system or systems shall be made from the funds to the credit of the Legislature.

And H. J. R. 17 was adopted.

BILLS ON SECOND READING

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Mr. Boutwell:

S. 49. To make an appropriation for the painting of the exterior of the State capitol.

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Messrs. Bush and Lovelace:

H. 25. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following Bill and ordered same returned to the House without recommendation, and it was read a second time and placed on the Calendar, to-wit:

By Mr. Haynes (Lowndes) (without recommendation):

H. 68. To create and establish the position of consultant emeritus to the county governing body in each of the several counties in the State of Alabama; to fix the qualifications of such consultant emeritus; to prescribe the manner of his appointment; to define his duties and responsibilities; and to provide for his compensation.

Mr. Thomas, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Messrs. Miller and Roberts:

H. 92. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

By Mr. Adams (Jefferson) (by request):

H. 94. To amend Sections 253, 254, 255, 256, 257 and 258, Title 62 of the Code of Alabama of 1940 to increase and extend the powers and duties of the barbers' commissions and the Barber Inspector and to further regulate and license barbers and barber colleges, and other like businesses, and to increase the license fees therefor in counties of the State of Alabama having a population of 300,000 or over, according to the last or any subsequent federal census.

By Mr. Shelton:

H. 96. To provide for the distribution of the proceeds of sales of contraband property in counties having a population of not less than 76,000 nor more than 114,000 according to the most recent federal census.

H. 12 INDEFINITELY POSTPONED

On motion of Mr. Haynes of Franklin, the bill, H. 12, was indefinitely postponed.

BILLS ON THIRD READING

H. 81. To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; providing for the employment of a Supervisor of Roads; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Coburn	Dyar	Hardy
Black	Cox	Faulk	Haynes (Franklin)
Brannan	Crook	Ganey	Haynes (Lowndes)
Brassell	Denton	Garrett	Head
Broadwater	Dobbs (Fayette)	Gillis	Howell
Brown	Duffee	Givhan	Ingalls
Callahan	Dumas	Hankins	Inzer

Kaul	Miller	Pinson	Taylor (Hale)
Larkins	Molette	Ramey	Thomas
McClendon	Morring	Roberts	Thompson (Crenshaw)
McDonald	Nettles	Shelton	Thompson (Pike)
Martin	Norman	Shirley	Wallace
Meeks	O'Neal	Sightler	Ward
Merrill	Pflegger	Taylor (Autauga)	Weaver

—56

And the bill:

H. 83. To amend Section 6 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819), which establishes a county-wide personnel system for all counties of the state having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

Was taken up.

Mr. Pinkston offered the following amendment to the bill, H. 83:

Amend House Bill No. 83 by beginning with the word "except" on Line 33 of Section (c) and striking the rest of said section therefrom and adding in lieu thereof: "except that in case of a war emergency so declared by an Act of Congress, such appointments may continue until the termination of such emergency."

And the amendment was adopted.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Duffee	Larkins	Roberts
Adams (Jefferson)	Dumas	McClendon	Robinson
Benford	Dyar	McDonald	Shelton
Brannan	Faulk	Martin	Shirley
Brassell	Ganey	Meeks	Sightler
Broadwater	Garrett	Merrill	Taylor (Autauga)
Brown	George	Miller	Taylor (Hale)
Callahan	Gillis	Molette	Thomas
Coburn	Givhan	Morring	Thompson (Crenshaw)
Cox	Haynes (Franklin)	Nettles	Thompson (Pike)
Crocker	Haynes (Lowndes)	Norman	Wallace
Crook	Head	Pflegger	Ward
Denton	Ingalls	Pinkston	Weaver
Dobbs (Fayette)	Inzer	Pinson	White (Perry)
Doughty	Kaul	Ramey	

—59

And said bill, H. 83, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Crocker	George	Inzer
Benford	Crook	Gillis	Kaul
Brannan	Denton	Hankins	Larkins
Brassell	Dobbs (Fayette)	Hardy	McClendon
Broadwater	Duffee	Haynes (Franklin)	McDonald
Brown	Dyar	Haynes (Lowndes)	Martin
Callahan	Faulk	Head	Meeks
Coburn	Ganey	Howell	Merrill
Cox	Garrett	Ingalls	Miller

Molette	Pinson	Shirley	Thompson (Pike)
Nettles	Ramey	Taylor (Autauga)	Wallace
Norman	Roberts	Taylor (Hale)	Ward
O'Neal	Robinson	Thomas	Weaver
Pflegler	Shelton	Thompson (Crenshaw)	White (Perry)
Pinkston			

—57

And the bill:

H. 90. Relating to Lee County: To authorize the governing body of Lee County to levy and collect a privilege tax on all persons, corporations, firms, companies, agencies, and associations selling, delivering, withdrawing from storage, or keeping in storage for sale or delivery in such County, gasoline, naptha, and other liquid motor fuel or any substitute therefor commonly used in internal combustion engines, but not including kerosene, fuel oil, or crude oil commonly used for lighting, heating, or industrial purposes; providing exemptions from such levy and for the use of the revenues derived from the tax; making the operation of the Act contingent upon the results of a referendum; directing and requiring the county governing body to provide for holding an election relative to the levying of such tax.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Dyar	Kaul	Pinson
Black	Faulk	Larkins	Ramey
Brannan	Ganey	McClendon	Roberts
Brassell	Garrett	McDonald	Shelton
Broadwater	Gillis	Martin	Shirley
Brown	Givhan	Meeks	Sightler
Callahan	Hankins	Merrill	Taylor (Autauga)
Coburn	Hardy	Miller	Taylor (Hale)
Cox	Haynes (Franklin)	Molette	Thomas
Crook	Haynes (Lowndes)	Morring	Thompson (Crenshaw)
Denton	Head	Nettles	Thompson (Pike)
Dobbs (Fayette)	Howell	Norman	Wallace
Duffee	Ingalls	O'Neal	Ward
Dumas	Inzer	Pflegler	Weaver

—56

S. 34 INDEFINITELY POSTPONED

On motion of Mr. Dobbs of Fayette, the bill, S. 34, was indefinitely postponed.

UNFINISHED BUSINESS

The House proceeded to the consideration of the unfinished business which was the bill:

H. 4. Relating to legislative representation; making an apportionment of senators and representatives among the several counties; providing for their election; and repealing conflicting laws.

Mr. Adams of Jefferson offered the following substitute for the bill, H. 4:

A BILL TO BE ENTITLED AN ACT

To provide a reapportionment of representation in the Legislature

of Alabama; fixing the number of Senators and dividing the State into as many senatorial districts as there are Senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The Senate of Alabama shall be composed of thirty-five Senators representing the thirty-five senatorial districts into which the State is hereby divided as follows, each district to elect one Senator and no more:

First District, the counties of Lauderdale and Limestone; Second District the counties of Madison and Jackson; Third District, the counties of Lawrence and Morgan; Fourth District, the counties of Colbert and Franklin; Fifth District, the counties of Calhoun and Cleburne; Sixth District, the counties of Marion and Winston; Seventh District, the counties of Marshall and DeKalb; Eighth District, the counties of Lamar and Pickens; Ninth District, the counties of Fayette and Walker; Tenth District, the counties of Etowah and Cherokee; Eleventh District, the counties of Blount and Cullman; Twelfth District, the counties of St. Clair and Talladega; Thirteenth District, the county of Jefferson; Fourteenth District, the counties of Bibb and Tuscaloosa; Fifteenth District, the counties of Chilton and Shelby; Sixteenth District, the counties of Chambers and Randolph; Seventeenth District, the counties of Clay and Coosa; Eighteenth District, the counties of Macon and Tallapoosa; Nineteenth District, the counties of Lee and Russell; Twentieth District, the county of Mobile; Twenty-first District, the counties of Henry and Houston; Twenty-second District, the counties of Barbour and Bullock; Twenty-third District, the counties of Crenshaw and Pike; Twenty-fourth District, the counties of Coffee and Dale; Twenty-fifth District, the counties of Butler and Lowndes; Twenty-sixth District the counties of Autauga and Elmore; Twenty-seventh District, the counties of Covington and Geneva; Twenty-eighth District, the counties of Conecuh and Escambia; Twenty-ninth District, the counties of Baldwin and Monroe; Thirtieth District, the counties of Choctaw and Washington; Thirty-first District, the counties of Clarke and Wilcox; Thirty-second District, the counties of Dallas and Perry; Thirty-third District, the counties of Greene and Hale; Thirty-fourth District, the counties of Marengo and Sumter; Thirty-fifth District, the county of Montgomery.

Section 2. The Senators provided for in Section 1 shall be elected by the qualified electors of the several districts on the first Tuesday after the first Monday in November in the year 1954 and every fourth year thereafter. Provided, That in districts composed of more than one county the Senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within the district; the first Senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding Senator.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

And the substitute was lost.

Yeas 30; Nays 0.

Yeas:

Mr. Speaker	George	Merrill	Shirley
Adams (Jefferson)	Hankins	Miller	Sightler
Benford	Haynes (Franklin)	Morring	Taylor (Autauga)
Coburn	Head	Nettles	Thompson (Crenshaw)
Cox	Inzer	O'Neal	Thompson (Pike)
Denton	Kaul	Pinkston	Ward
Dyar	McClendon	Roberts	Weaver
Garrett	Meeks		

PAIR ANNOUNCED

Mr. Ganey announced that he was paired with Mr. Stone. If Mr. Stone were present he would vote "yea" and Mr. Ganey would vote "Nay".

H. 4 INDEFINITELY POSTPONED

On motion of Mr. Adams of Jefferson, the bill, H. 4, was indefinitely postponed.

H. 8 INDEFINITELY POSTPONED

On motion of Mr. Roberts, the bill, H. 8, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 17. To reapportion the Membership of the House of Representatives among the several Counties of the State.

Was taken up.

Mr. Adams of Jefferson offered the following substitute for the bill, H. 17:

A BILL
TO BE ENTITLED
AN ACT

To make an apportionment of representation in the House of Representatives of the Legislature of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Legislature of Alabama shall consist of one hundred six members, apportioned among the several counties according to the number of inhabitants in them as ascertained by the 1940 federal census, as follows: 1) Counties of less than 36,000 population shall have and elect one representative each; 2) Counties of a population from 36,000 to 55,000 shall have and elect two representatives each; 3) Counties of a population of more than 55,000 and not more than 110,000 shall have and elect three representatives each; 4) Counties of a population of more than 110,000 and not more than 140,000 shall have and elect four representatives each; 5) Counties of a population of more than 140,000 and not more than 450,000 shall have and elect five representatives each; 6) Counties of a population of more than 450,000 shall have and elect ten representatives each.

Section 2. The representatives provided for in Section 1 shall be elected at the general election in 1954 and every fourth year thereafter.

And the substitute was lost.

Yeas 29; Nays 6.

Yeas:

Mr. Speaker	Dyar	Kaul	Roberts
Adams (Jefferson)	Garrett	Meeks	Sightler
Benford	Hankins	Merrill	Taylor (Autauga)
Broadwater	Haynes (Franklin)	Miller	Thompson (Crenshaw)
Coburn	Head	Morring	Thompson (Pike)
Cox	Howell	Nettles	Ward
Denton	Inzer	O'Neal	Weaver
Dobbs (Fayette)			

—29

Nays:

Messrs.:	Duffee	Ingalls	Shirley
Crocker	Hornsby	Mathison	

—6

H. 17 INDEFINITELY POSTPONED

On motion of Mr. Adams of Jefferson, the bill, H. 17, was indefinitely postponed.

RESOLUTION

The following resolution was introduced:

By Mr. Dobbs of Fayette:

H. J. R. 23. Resolved by the House, the Senate concurring, that House Bill 26 shall be known and designated as the Dobbs-Kimbrell bill.

On motion of Mr. Dobbs of Fayette the rules were suspended and H. J. R. 23 was adopted.

BILLS ON THIRD READING RESUMED

H. 87. To make an additional appropriation to the Board of Trustees of the Alabama Insane Hospitals for the use of the Alabama Insane Hospitals and the Partlow State School for Mental Deficients for the fiscal year ending September 30, 1951.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dyar	Knight	Pinson
Adams (Jefferson)	Faulk	Larkins	Ramey
Barnett	Ganey	McClendon	Roberts
Benford	Garrett	McDonald	Robinson
Brassell	George	Martin	Shelton
Broadwater	Gillis	Mathison	Shirley
Brown	Givhan	Meeks	Sightler
Callahan	Hankins	Merrill	Taylor (Autauga)
Coburn	Hardy	Miller	Taylor (Hale)
Cox	Haynes (Franklin)	Molette	Thomas
Crook	Haynes (Lowndes)	Morring	Thompson (Crenshaw)
Denton	Head	Nettles	Thompson (Pike)
Dobbs (Elmore)	Hornsby	Norman	Wallace
Dobbs (Fayette)	Howell	O'Neal	Ward
Duffee	Ingalls	Pflegler	Weaver
Dumas	Inzer	Pinkston	White (Perry)

—64

And the bill:

H. 18. To reapportion the Membership of the House of Representatives among the several Counties of the State.

Was taken up.

Mr. Adams of Jefferson offered the following substitute for the bill, H. 18:

A BILL
TO BE ENTITLED
AN ACT

To apportion the membership of the House of Representatives of the Legislature among the several counties of the State according to population under the Federal Census of 1950; and providing for the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Legislature shall consist of 106 members, distributed among the several counties as follows: 1) Counties of under 40,000 population according to the 1950 Federal Census shall elect one representative, 2) Counties of a population of 40,000 to 60,000 according to the 1950 Federal Census shall elect two representatives, 3) Counties of a population of more than 60,000 but not more than 130,000 according to the 1950 Federal Census shall elect three representatives, 4) Counties of a population of more than 130,000 but not more than 225,000 according to the 1950 Federal Census shall elect four representatives, 5) Counties of a population of more than 225,000 but not more than 500,000 according to the 1950 Federal Census shall elect five representatives, and 6) Counties of a population of over 500,000 according to the 1950 Federal Census shall elect ten representatives.

Section 2. The provisions of this Act shall become effective on the first day of Jan. 1954, and shall apply to the general election to be held in 1954.

And the substitute was lost.

Yeas 28; Nays 6.

Yeas:

Mr. Speaker	Denton	Howell	Morring
Adams (Jefferson)	Dumas	Inzer	Nettles
Barnett	Dyar	Kaul	Roberts
Benford	Ganey	Larkins	Sightler
Broadwater	Garrett	Meeks	Thompson (Crenshaw)
Coburn	Hankins	Merrill	Thompson (Pike)
Cox	Haynes (Franklin)	Miller	Weaver

—28

Nays:

Messrs.:	Haynes (Lowndes)	Mathison	Shirley
Crocker	Ingalls	O'Neal	

—6

And on motion of Mr. Adams of Jefferson, the bill, H. 18, was indefinitely postponed.

And the bill:

S. 12. To provide supernumerary solicitors of the state; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation, and the method of removal from office of such supernumerary circuit solicitors, and to appropriate funds for the payment of such compensation.

Was read a third time at length and lost.

Yeas 41; Nays 9.

Yeas:

Mr. Speaker	Faulk	Martin	Shelton
Barnett	Gillis	Mathison	Sightler
Brassell	Givhan	Meeks	Taylor (Autauga)
Brown	Hardy	Molette	Taylor (Hale)
Busby	Haynes (Lowndes)	Morring	Thomas
Callahan	Head	Nettles	Thompson (Crenshaw)
Coburn	Hornsby	Pinkston	Wallace
Cox	Howell	Pinson	Ward
Crocker	Inzer	Roberts	Weaver
Duffee	Larkins	Robinson	White (Perry)
Dumas			

—41

Nays:

Messrs.:
Benford
Dobbs (Elmore)

Garrett
George
Ingalls

McDonald
Merrill

Miller
Shirley

—9

PAIR ANNOUNCED

Mr. Ganey announced that he was paired with Mr. Stone. If Mr. Stone were present he would vote "Yea" and Mr. Ganey would vote "Nay".

ADJOURNMENT

The motion of Mr. Morring to adjourn until Friday, October 20, 1950, at ten o'clock A. M., was lost.

Yeas 17; Nays 31.

Yeas:

Messrs.:
Brown
Callahan
Crocker
Denton

Gillis
Hankins
Haynes (Franklin)
Head
Hornsby

Meeks
Morring
O'Neal
Pinson

Robinson
Shelton
Thompson (Crenshaw)
Thompson (Pike)

—17

Nays:

Mr. Speaker
Adams (Jefferson)
Barnett
Benford
Brassell
Coburn
Cox
Duffee

Dumas
Faulk
Garrett
George
Haynes (Lowndes)
Inzer
Larkins
McClendon

McDonald
Martin
Mathison
Merrill
Miller
Nettles
Pfleger
Roberts

Shirley
Sightler
Taylor (Autauga)
Taylor (Hale)
Thomas
Wallace
Ward

—31

BILLS ON THIRD READING RESUMED

H. 79. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Colbert County, validating Act No. 485 of the General Acts of the regular 1949 session of the Alabama Legislature.

Was taken up.

Mr. Coburn offered the following amendment to the bill, H. 79:

Amend H. B. 79 by striking therefrom Section 2 and inserting in lieu thereof the following:

Section 2. An election upon the proposed amendment is ordered to be held at the next General Election or Special Election to be held in the State of Alabama after January 1, 1951. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Alabama Code of 1940.

And the amendment was adopted.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker
Adams (Jefferson)
Benford

Black
Brannan
Brassell

Broadwater
Brown
Callahan

Coburn
Cox
Denton

Duffee	Head	Merrill	Shelton
Dumas	Hornsby	Miller	Shirley
Dyar	Howell	Morring	Sightler
Faulk	Ingalls	Nettles	Taylor (Autauga)
Ganey	Inzer	O'Neal	Taylor (Hale)
Garrett	Larkins	Pflegger	Thomas
George	McClendon	Pinkston	Thompson (Crenshaw)
Gillis	McDonald	Pinson	Thompson (Pike)
Hankins	Martin	Roberts	Wallace
Haynes (Franklin)	Mathison	Robinson	Ward
Haynes (Lowndes)	Meeks	Sadler	Weaver

—56

And said bill, H. 79, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Faulk	Larkins	Ramey
Barnett	Ganey	McClendon	Roberts
Benford	Garrett	McDanal	Robinson
Black	George	McDonald	Sadler
Brannan	Gillis	Martin	Shelton
Brassell	Givhan	Mathison	Shirley
Broadwater	Hankins	Meeks	Sightler
Brown	Hardy	Merrill	Taylor (Autauga)
Callahan	Haynes (Franklin)	Miller	Taylor (Hale)
Coburn	Haynes (Lowndes)	Molette	Thomas
Cox	Head	Morring	Thompson (Crenshaw)
Crook	Hornsby	Nelson	Thompson (Pike)
Denton	Howell	Nettles	Wallace
Dobbs (Elmore)	Ingalls	O'Neal	Ward
Doughty	Inzer	Pflegger	Weaver
Dyar	Knight	Pinkston	White (Perry)

—64

MOTION TO ADJOURN LOST

The motion of Mr. Morring to adjourn until Friday, October 20, 1950, at ten o'clock A. M., was lost.

Yeas 8; Nays 37.

Yeas:

Messrs.:	Ganey	Hornsby	Morring
Broadwater	Haynes (Franklin)	Meeks	Robinson
Denton			

—8

Nays:

Mr. Speaker	Gillis	Martin	Shelton
Barnett	Givhan	Merrill	Shirley
Benford	Hankins	Miller	Sightler
Brassell	Hardy	Nettles	Taylor (Autauga)
Coburn	Haynes (Lowndes)	Norman	Taylor (Hale)
Cox	Howell	O'Neal	Thomas
Crook	Ingalls	Pflegger	Thompson (Pike)
Faulk	Inzer	Pinkston	Wallace
Garrett	Larkins	Roberts	Ward
George			

—37

MOTION TO RECONSIDER

The motion of Mr. Ingalls to reconsider the vote by which the bill, S. 12, was lost, was adopted.

BILLS ON THIRD READING RESUMED

H. 3. Proposing an amendment to the Constitution of Alabama relating to legislative representation.

Was read a third time at length and lost.

Yeas 8; Nays 18.

Yeas:

Mr. Speaker	Cox	Inzer	Roberts
Barnett	Hankins	Meeks	Thompson (Crenshaw)

—8

Nays:

Messrs.:	George	Mathison	Shirley
Benford	Gillis	Merrill	Sightler
Crocker	Haynes (Lowndes)	Miller	Thomas
Ganey	Hornsby	Nettles	Thompson (Pike)
Garrett	Larkins	Pinkston	

—18

And the bill:

H. 2. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Was read a third time at length and lost.

Yeas 15; Nays 14.

Yeas:

Mr. Speaker	Cox	Inzer	Roberts
Barnett	Dyar	Merrill	Thompson (Crenshaw)
Benford	Hankins	Miller	Weaver
Coburn	Howell	O'Neal	

—15

Nays:

Messrs.:	Garrett	Mathison	Thomas
Dumas	George	Nettles	Wallace
Faulk	Gillis	Shirley	Ward
Ganey	Haynes (Lowndes)	Taylor (Autauga)	

—14

And the bill:

H. 36. To create the State Medical Education Board; to prescribe its duties; and to provide for loans and scholarships to students desiring to study medicine.

Was taken up.

Mr. Wallace offered the following amendment to the bill, H. 36:

Amend H. B. 36 by adding the words "Jan 20th 1951" in Section 1—Line 17 after the word on and before the and.

And the amendment was lost.

Yeas 39; Nays 0.

Yeas:

Mr. Speaker	Dyar	Larkins	Robinson
Benford	Ganey	McDonald	Shelton
Brannan	Garrett	Martin	Shirley
Brassell	George	Mathison	Sightler
Callahan	Givhan	Merrill	Taylor (Hale)
Coburn	Hankins	Molette	Thomas
Crocker	Hardy	Nettles	Thompson (Pike)
Crook	Haynes (Lowndes)	Norman	Wallace
Denton	Howell	Ramey	Ward
Duffee	Inzer	Roberts	—39

Mr. Wallace offered the following amendment to the bill, H. 36:

Amend H. B. 36 by adding the following:

Section 11-A—It is the express intention of the Legislature that no appropriation is hereby made under this Act.

And the amendment was lost.

Yeas 42; Nays 1.

Yeas:

Mr. Speaker	Garrett	McDonald	Shelton
Benford	George	Martin	Shirley
Brassell	Gillis	Mathison	Sightler
Broadwater	Givhan	Merrill	Taylor (Autauga)
Callahan	Hankins	Miller	Taylor (Hale)
Coburn	Hardy	Molette	Thomas
Cox	Haynes (Lowndes)	Nettles	Thompson (Crenshaw)
Crook	Howell	Norman	Thompson (Pike)
Denton	Ingalls	Pflegler	Wallace
Duffee	Inzer	Robinson	Ward
Ganey	Larkins		—42

Nays: Mr. Roberts —1

ADJOURNMENT

On motion of Mr. Givhan, the House adjourned until Friday, October 20, 1950, at ten o'clock A. M.

EIGHTH DAY

House of Representatives,
Montgomery, Alabama,
Friday, October 20, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend J. Fletcher McLeod, Secretary, Board of Retired Ministers' Home of Methodist Episcopal Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dyar	Inzer	Ramey
Adams (Dale)	Faulk	Larkins	Roberts
Adams (Jefferson)	Ganey	McClendon	Robinson
Armstrong	Garrett	McDanal	Sellers
Benford	George	McDonald	Shelton
Black	Gillis	McGowin	Shirley
Brassell	Givhan	Malone	Sightler
Brown	Hankins	Meeks	Still
Buckner	Hardy	Merrill	Thagard
Callahan	Harris	Miller	Thomas
Coburn	Harrison	Molette	Thompson (Crenshaw)
Cole	Haynes (Franklin)	Morring	Thompson (Pike)
Cox	Haynes (Lowndes)	Nettles	Wallace
Crocker	Head	Norman	Ward
Crook	Hornsby	O'Neal	Weaver
Denton	Howell	Pflegler	White (Perry)
Doughty	Ingalls	Pinkston	

—67

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Seventh Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Seventh Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Seventh Legislative Day was approved.

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Mr. Russell:

S. 53. To ratify, confirm and validate the allocation and distribution heretofore made by the State of Alabama Building Commission of the sum of \$65,000.00 to each of the Regional Tuberculosis Sanatoria located in District No. 1 at Decatur, Alabama and in District No. 4, Etowah County, Alabama.

Mr. Thomas, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Mr. Howle:

S. 42. For the relief of Mrs. Harry S. Parker as compensation for the death of her husband, Harry S. Parker, deceased, of Calhoun County, Alabama, as the result of injury received while he was in the line of and performing his duties as a road employee of Calhoun County, Alabama.

By Mr. Hughes:

S. 52. To fix the salary of the Deputy Solicitor of Geneva County.

By Mr. Quarles:

S. 55. To empower the governing body of the City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, to levy in said city, additional special privilege or license taxes paralleling, with like provisions in said city, such State of Alabama taxes as are levied by said State by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, except that only fifty per cent (50%) of the State levy provided by subdivisions (a), (b) and (c) of said Section 753 shall be made and shall be collected by said city; to provide a lien in favor of the City against the property of taxpayers liable for such taxes and to make the provisions of the Revenue Laws of the State of Alabama applicable to the enforcement of such liens; to provide that taxes which may be levied hereunder shall constitute a debt due said City and to provide methods of collection; to provide for the collection of such taxes by the Treasurer of said city and for reports to be made by taxpayers liable for such taxes; to provide that the Treasurer of said city as to the collection of such taxes shall have the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto; to provide for expenses of clerk hire and other expenses incurred by said city in collecting, handling and disbursing such taxes; to provide that the taxes which may be levied hereunder shall be in addition to all other licenses and taxes which may be levied by said city and a condition precedent to engaging in any business taxable hereunder, except as may be otherwise provided; to provide for the time and manner, method and provision for the collection of said taxes; to provide that such taxes which may be levied hereunder shall be added by the taxpayer to the sales price and collected from the purchaser on all sales affected hereby and to provide the method of determining the amounts to be added to sales and collected from the purchaser and to provide a penalty for failure or refusal to abide by such requirements; to provide for the allocation and use of the taxes which may arise hereunder; to provide penalties for failure to comply with the provisions of this act; and to provide the governing body of said city with authority to call and hold an election to submit to the qualified electors of said city the question as to whether or not such taxes shall be levied, the length of time such taxes shall run and the rate thereof; to provide when this act shall go into effect.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Mr. Patton:

S. 2. To prohibit persons under the influence of intoxicating liquors from driving motor vehicles; to provide that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference thereto; to make it unlawful to drive a motor vehicle while under the influence of any narcotic drug, and to provide for the punishment for any violation of the provisions of this Act, and for revocation of driver's license for violation thereof.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wood (Washington):

H. 98. To amend further Act No. 515, H. 93, approved July 9, 1945 (General Acts, 1945, pp. 734-752), which establishes the State Employees' Retirement System.

State Administration.

BILLS ON THIRD READING

H. 36. To create the State Medical Education Board; to prescribe its duties; and to provide for loans and scholarships to students desiring to study medicine.

Was taken up.

Mr. Wallace offered the following amendment to the bill, H. 36:

Amend H. B. No. 36 by adding in Line 17—Section 1, after the word "on" and before the word "and" the words and figures "Jan 20th 1951".

And the amendment was lost.

Yeas 45; Nays 0.

Yeas:

Messrs.:	Doughty	Howell	Ramey
Armstrong	Ganey	Larkins	Roberts
Benford	George	McDanal	Robinson
Black	Gillis	McDonald	Sellers
Brassell	Givhan	Merrill	Shelton
Buckner	Hankins	Miller	Shirley
Callahan	Hardy	Molette	Sightler
Coburn	Harris	Nettles	Thomas
Cole	Harrison	O'Neal	Wallace
Cox	Haynes (Franklin)	Pflegler	Ward
Crocker	Haynes (Lowndes)	Pinkston	Weaver
Denton	Head		

—45

And said bill, H. 36, was read a third time at length and lost.

Yeas 47; Nays 3.

Yeas:

Mr. Speaker	Ganey	McClendon	Sellers
Benford	George	McDanal	Shelton
Black	Gillis	McDonald	Shirley
Brassell	Givhan	Merrill	Sightler
Buckner	Hankins	Miller	Still
Callahan	Hardy	Molette	Thagard
Coburn	Harris	Morring	Thomas
Cole	Haynes (Franklin)	Nettles	Thompson (Pike)
Cox	Haynes (Lowndes)	Pinkston	Ward
Crocker	Head	Ramey	Weaver
Denton	Howell	Roberts	White (Perry)
Doughty	Larkins	Robinson	

—47

Nays: Messrs. Ingalls, Inzer and Wallace

—3

MOTION TO RECONSIDER

The motion of Mr. Wallace to reconsider the vote by which the bill, H. 36, was lost, was adopted.

BILLS ON THIRD READING RESUMED

H. 96. To provide for the distribution of the proceeds of sales of contraband property in counties having a population of not less than 76,000 nor more than 114,000 according to the most recent federal census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Faulk	Inzer	Roberts
Adams (Jefferson)	Ganey	Larkins	Robinson
Benford	Garrett	McClendon	Sellers
Black	George	McDanal	Shelton
Brassell	Gillis	McDonald	Shirley
Brown	Givhan	McGowin	Sightler
Buckner	Hankins	Malone	Still
Callahan	Hardy	Meeks	Thagard
Cole	Harris	Merrill	Thomas
Cox	Harrison	Molette	Thompson (Pike)
Crocker	Haynes (Franklin)	Morring	Wallace
Denton	Haynes (Lowndes)	Pflegler	Ward
Doughty	Head	Pinkston	Weaver
Dyar	Howell	Ramey	White (Perry)

—56

And the bill:

H. 92. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Ganey	Larkins	Roberts
Adams (Jefferson)	Garrett	McClendon	Robinson
Benford	George	McDanal	Sellers
Black	Gillis	McDonald	Shelton
Brassell	Givhan	McGowin	Shirley
Brown	Hankins	Malone	Sightler
Buckner	Hardy	Meeks	Still
Callahan	Harris	Merrill	Thagard
Cole	Harrison	Miller	Thomas
Cox	Haynes (Franklin)	Molette	Thompson (Pike)
Crocker	Haynes (Lowndes)	Morring	Wallace
Denton	Head	Pflegler	Ward
Doughty	Howell	Pinkston	Weaver
Dyar	Inzer	Ramey	White (Perry)
Faulk			

—57

And the bill:

H. 53. To establish within the Legislative Reference Service a Legislative Fiscal Division, prescribing its powers and duties, and providing for its officers and employees.

Was read a third time at length and lost.

Yeas 24; Nays 4.

Yeas:

Mr. Speaker	Doughty	Hankins	McDonald
Adams (Jefferson)	Ganey	Haynes (Lowndes)	Meeks
Coburn	Garrett	Head	Merrill
Denton	George	Howell	Molette

Nettles	Sightler	Wallace	Weaver
Shirley	Thompson (Pike)	Ward	White (Perry)

—24

Nays:

Messrs.: Buckner	Harris	Inzer	Thagard
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—4

And the bill:

H. 61. To make it unlawful for any person to display, handle, exhibit or use any poisonous or dangerous snake or reptile in such a manner as to endanger the life or health of another, and prescribing the punishment for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Ganey	Larkins	Ramey
Adams (Jefferson)	Garrett	McClendon	Roberts
Benford	George	McDanal	Robinson
Black	Gillis	McDonald	Shelton
Brannan	Givhan	McGowin	Shirley
Brassell	Hankins	Malone	Sightler
Brown	Hardy	Meeks	Still
Buckner	Harris	Merrill	Thagard
Callahan	Harrison	Miller	Thomas
Coburn	Haynes (Lowndes)	Molette	Thompson (Pike)
Cox	Head	Morring	Wallace
Crocker	Howell	Nettles	Ward
Doughty	Ingalls	Pfleger	Weaver
Faulk	Inzer	Pinkston	White (Perry)

—56

RESOLUTION

The following resolution was introduced:

By Messrs. Callahan and Shelton:

H. J. R. 24. Authorizing the Board of Trustees of the University of Alabama to designate the building used as the Alumni Hall as the "Temple Tutwiler Alumni Hall."

Whereas the Board of Trustees of the University of Alabama has indicated its disposition to designate the building on the University Campus used as an alumni hall the "Temple Tutwiler Alumni Hall" in recognition of Mr. Temple Tutwiler's contributions to the State as a public-minded citizen thereof and a loyal alumnus of the University; therefore

Be it Resolved by the House of Representatives of Alabama, the Senate concurring, That the Board of Trustees of the University of Alabama is hereby authorized to designate the building used as an alumni hall as the "Temple Tutwiler Alumni Hall."

On motion of Mr. Callahan the rules were suspended and H. J. R. 24 was adopted.

BILLS ON THIRD READING RESUMED

H. 57. To apportion the membership of the House of Representatives of the Legislature among the several counties of the State according to

population under the Federal Census of 1950; and providing for the effective date of this Act.

Was read a third time at length and lost.

Yeas 22; Nays 3.

Yeas:

Mr. Speaker	Cox	Inzer	Morring
Adams (Jefferson)	Ganey	McDanal	Nettles
Benford	Garrett	Meeks	Roberts
Black	Hankins	Merrill	Thompson (Pike)
Buckner	Haynes (Franklin)	Miller	Weaver
Coburn	Howell		—22

Nays: Messrs. Crocker, McClendon and Shirley —3

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Mize:

S. J. R. 22. Authorizing the Board of Trustees of the University of Alabama to designate the building used for the School of Commerce and Business Administration as "Bidgood Hall."

Whereas the Board of Trustees of the University of Alabama has indicated its disposition to designate the building on the University Campus used for the School of Commerce and Business Administration as "Bidgood Hall" in recognition of the services rendered to the University by Dean Lee Bidgood, who has served the University for the past thirty years as Dean of the School of Commerce and Business Administration; therefore

Be it Resolved by the Senate of Alabama, the House of Representatives concurring, That the Board of Trustees of the University of Alabama is hereby authorized to designate the building used by the School of Commerce and Business Administration at the University of Alabama as "Bidgood Hall."

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Callahan the rules were suspended and the House concurred in and adopted the S. J. R. 22 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Mize:

S. J. R. 21. Authorizing the Board of Trustees of the University of Alabama to designate a dormitory for women students as "Adams-Parker Dormitory."

Whereas the Board of Trustees of the University of Alabama has indicated its disposition to designate a dormitory for women students as "Adams-Parker Dormitory" in honor of Miss Anna Adams and Miss

Bessie Parker, the first women students to enter the University after the inauguration of the co-educational system; therefore

Be it Resolved by the Senate of Alabama, the House of Representatives concurring, That the Board of Trustees of the University of Alabama is hereby authorized to designate a dormitory for women students as the "Adams-Parker Dormitory."

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Callahan the rules were suspended and the House concurred in and adopted the S. J. R. 21 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 5. Relative to: Recognizing the seventy-fifth anniversary of the Alabama State College for Negroes, and expressing appreciation to Dr. H. Council Trenholm on his twenty-fifth anniversary as President of the College.

Also:

S. J. R. 18. Relative to: The fate of our cotton farmers and urging our Senators and members of Congress from this State to exert their influence to see that the burden of the present conflict is shared as nearly equal as possible by all our people.

Also:

S. J. R. 20. Relative to: The passing of Mrs. Birdie Inzer Doster, her memory revered and sympathy extended to her bereaved relatives.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 23. Naming House Bill 26.

Also:

H. J. R. 24. Naming Alumni Hall at University of Alabama "Temples-Tutwiler Alumni Hall".

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED

H. 80. To authorize the allocation and disbursements of Federal funds deposited in the State Treasury of Alabama for educational purposes to county and city boards of education to meet anticipated monthly current operation obligations in accordance with laws and regulations governing the expenditure of such funds as certified to by the State Superintendent of Education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Ganey	McClendon	Robinson
Adams (Jefferson)	Garrett	McDanal	Sellers
Benford	George	McGowin	Shelton
Black	Gillis	Malone	Shirley
Brassell	Givhan	Meeks	Sightler
Broadwater	Hankins	Merrill	Still
Brown	Hardy	Miller	Thagard
Buckner	Harris	Molette	Thomas
Coburn	Haynes (Franklin)	Morring	Thompson (Crenshaw)
Cox	Haynes (Lowndes)	Nettles	Thompson (Pike)
Crocker	Head	Norman	Wallace
Crook	Howell	Pfleger	Ward
Dyar	Inzer	Ramey	Weaver
Faulk	Larkins	Roberts	White (Perry)

—56

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 24. For the relief of the next of kin of Eugene Ogburn.

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED

H. 84. To amend Section 298 of the Code of Alabama (1940), which relates to the minimum age at which children may enter school.

Was taken up.

Mr. Larkins offered the following substitute for the bill, H. 84:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 298 of Title 52 of the Code of Alabama (1940), which relates to the minimum age at which children may enter school.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 298 of Title 52 of the Code of Alabama (1940) is amended to read: "A child who is six years of age on or before October first shall be entitled to admission to the public elementary schools at the opening of such schools for that school year or as soon as practicable thereafter; a child who is under six years of age on October first shall not be entitled to admission to such schools during that school year,

except that a child who becomes six years of age on or before February first may, on approval of the board of education in authority, be admitted at the beginning of the second semester of that school year to schools in school systems having semi-annual promotions of pupils. It is further provided, however, that a child of any member of the armed forces of the United States who has been attending school in another state prior to moving to Alabama, shall be entitled to admission to such schools in this state, regardless of his age."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Ganey	Larkins	Ramey
Adams (Jefferson)	Garrett	McClendon	Roberts
Benford	George	McDanal	Robinson
Black	Gillis	McGowin	Shelton
Brassell	Givhan	Malone	Shirley
Brown	Hankins	Meeks	Sightler
Callahan	Hardy	Merrill	Still
Coburn	Harris	Miller	Thagard
Cox	Haynes (Franklin)	Molette	Thomas
Crocker	Haynes (Lowndes)	Morring	Thompson (Crenshaw)
Crook	Head	Nettles	Wallace
Denton	Howell	Norman	Ward
Dyar	Ingalls	Pfleger	Weaver
Faulk	Inzer		

—54

On motion of Mr. Larkins further consideration of the bill, H. 84, as thus amended, was postponed until the next Legislative Day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 23. For the relief of the widow of P. P. Wilson.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Russell:

S. J. R. 23. Be it Resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, October 24th, 1950 at 12:00 o'clock noon.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the rules were suspended and the House concurred in and adopted the S. J. R. 23 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 91. To make an appropriation of one hundred ten thousand dollars (\$110,000) for the purchase, renovation, and redecoration of the house and lot at 1108 South Perry Street, Montgomery, Alabama, as the mansion for occupancy by the Governor.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Ganey	Larkins	Pinkston
Adams (Jefferson)	Garrett	McClendon	Roberts
Benford	George	McDanal	Robinson
Black	Gillis	McGowin	Sellers
Brassell	Givhan	Malone	Shelton
Brown	Hankins	Meeks	Sightler
Callahan	Hardy	Merrill	Still
Coburn	Harris	Miller	Thagard
Cox	Harrison	Molette	Thomas
Crocker	Haynes (Franklin)	Morring	Thompson (Crenshaw)
Crook	Haynes (Lowndes)	Nettles	Wallace
Denton	Head	Norman	Ward
Dyar	Ingalls	Pfleger	Weaver
Faulk	Inzer		

—54

And the bill:

S. 49. To make an appropriation for the painting of the exterior of the State capitol.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Ganey	McClendon	Roberts
Adams (Jefferson)	Garrett	McDanal	Robinson
Benford	George	McGowin	Sellers
Black	Gillis	Malone	Shelton
Brassell	Givhan	Meeks	Sightler
Brown	Hankins	Merrill	Still
Busby	Hardy	Miller	Thagard
Callahan	Harrison	Molette	Thomas
Coburn	Haynes (Franklin)	Morring	Thompson (Crenshaw)
Cox	Haynes (Lowndes)	Nettles	Thompson (Pike)
Crocker	Head	Norman	Wallace
Crook	Ingalls	Pfleger	Ward
Dyar	Inzer	Pinkston	Weaver
Faulk	Larkins	Ramey	White (Perry)

—56

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bill and House Joint Resolutions, to-wit:

H. 24. For the relief of the next of kin of Eugene Ogburn.

Also:

H. J. R. 23. Relative to designating House Bill 26 as the Dobbs-Kimbrell bill.

Also:

H. J. R. 24. Relative to designating the building used as an alumni hall, at the University of Alabama, as the "Temple Tutwiler Alumni Hall."

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 23. For the relief of the widow of P. P. Wilson.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILL

The Speaker Pro Tempore of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 21. Relative to naming a Dormitory for women students at the University of Alabama the "Adams-Parker Dormitory"

Also:

S. J. R. 22. Relative to naming the building used by the School of Commerce and Business Administration at the University of Alabama "Bidgood Hall."

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker Pro Tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk,

the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:50 A. M. on October 20, 1950.

H. 24.
H. J. R. 23.
H. J. R. 24.

Delivered to the Governor at 12:00 Noon on October 20, 1950.

H. 23.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Miller, the House adjourned until Tuesday, October 24, 1950, at twelve o'clock noon.

NINTH DAY

House of Representatives,
Montgomery, Alabama,
Tuesday, October 24, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Representative J. S. Ganey, member of the House from Talladega County, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Crook	Harris	Mason
Adams (Dale)	Denton	Harrison	Mathison
Adams (Jefferson)	Dobbs (Fayette)	Haynes (Franklin)	Merrill
Armstrong	Doughty	Haynes (Lowndes)	Molette
Benford	Duffee	Hornsby	Nettles
Black	Dumas	Ingalls	Norman
Brannan	Dyar	Inzer	O'Neal
Brassell	Faulk	Kaul	Pfleger
Brown	Ganey	Knight	Pinkston
Busby	Garrett	Larkins	Pruitt
Bush	George	Leonard	Ramey
Callahan	Gibson	McClendon	Richardson
Coburn	Gillis	McDonald	Roberts
Cole	Givhan	McGowin	Robinson
Cox	Hankins	Malone	Rogers
Crocker	Hardy	Martin	Sadler

Sellers	Stone	Thompson (Crenshaw)	Weaver
Shelton	Sullivan	Thompson (Pike)	Whitcomb
Shirley	Taylor (Autauga)	Tucker	White (Covington)
Sightler	Taylor (Hale)	Wallace	White (Perry)
Stewart	Thagard	Ward	Wood (Bibb)
Still	Thomas		

—86

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Eighth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Eighth Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Eighth Legislative Day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bill your signature thereto is requested:

S. 49. To make an appropriation for the painting of the exterior of the State capitol.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING

S. 42. For the relief of Mrs. Harry S. Parker as compensation for the death of her husband, Harry S. Parker, deceased, of Calhoun County, Alabama, as the result of injury received while he was in the line of and performing his duties as a road employee of Calhoun County, Alabama.

Was read a third time at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Givhan	McClendon
Black	Doughty	Hankins	McDonald
Brannan	Duffee	Hardy	McGowin
Brown	Dyar	Harris	Malone
Callahan	Faulk	Harrison	Martin
Coburn	Ganey	Haynes (Lowndes)	Mason
Cox	Garrett	Inzer	Mathison
Crocker	George	Knight	Merrill
Crook	Gibson	Larkins	Molette
Denton	Gillis	Leonard	Nettles

Norman	Richardson	Stone	Tucker
O'Neal	Rogers	Sullivan	Wallace
Pfleger	Sellers	Taylor (Autauga)	Weaver
Pinkston	Shelton	Thagard	Whitcomb
Pruitt	Sightler	Thomas	White (Covington)
Ramey	Stewart	Thompson (Pike)	White (Perry)

—64

And the bill:

S. 52. To fix the salary of the Deputy Solicitor of Geneva County.

Was read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	George	Malone	Sightler
Brannan	Gibson	Martin	Stewart
Brown	Gillis	Mason	Stone
Callahan	Givhan	Mathison	Sullivan
Coburn	Hankins	Merrill	Taylor (Autauga)
Cox	Hardy	Nettles	Thagard
Crocker	Harris	Norman	Thomas
Crook	Harrison	Pfleger	Thompson (Pike)
Denton	Haynes (Lowndes)	Pruitt	Tucker
Dobbs (Fayette)	Inzer	Ramey	Wallace
Duffee	Knight	Richardson	Weaver
Dyar	Leonard	Rogers	Whitcomb
Faulk	McClendon	Sellers	White (Covington)
Ganey	McDonald	Shelton	White (Perry)
Garrett	McGowin	Shirley	Wood (Bibb)

—60

And the bill:

S. 55. To empower the governing body of the City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, to levy in said city, additional special privilege or license taxes paralleling, with like provisions in said city, such State of Alabama taxes as are levied by said State by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, except that only fifty per cent (50%) of the State levy provided by subdivisions (a), (b) and (c) of said Section 753 shall be made and shall be collected by said city; to provide a lien in favor of the City against the property of taxpayers liable for such taxes and to make the provisions of the Revenue Laws of the State of Alabama applicable to the enforcement of such liens; to provide that taxes which may be levied hereunder shall constitute a debt due said City and to provide methods of collection; to provide for the collection of such taxes by the Treasurer of said city and for reports to be made by taxpayers liable for such taxes; to provide that the Treasurer of said city as to the collection of such taxes shall have the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto; to provide for expenses of clerk hire and other expenses incurred by said city in collecting, handling and disbursing such taxes; to provide that the taxes which may be levied hereunder shall be in addition to all other licenses and taxes which may be levied by said city and a condition precedent to engaging in any business taxable hereunder, except as may be otherwise provided; to provide for the time and manner, method and provision for the collection of said taxes; to provide that such taxes which may be levied

hereunder shall be added by the taxpayer to the sales price and collected from the purchaser on all sales affected hereby and to provide the method of determining the amounts to be added to sales and collected from the purchaser and to provide a penalty for failure or refusal to abide by such requirements; to provide for the allocation and use of the taxes which may arise hereunder; to provide penalties for failure to comply with the provisions of this act; and to provide the governing body of said city with authority to call and hold an election to submit to the qualified electors of said city the question as to whether or not such taxes shall be levied, the length of time such taxes shall run and the rate thereof; to provide when this act shall go into effect.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Garrett	McGowin	Shelton
Adams (Dale)	George	Martin	Shirley
Brannan	Gibson	Mason	Stewart
Brown	Gillis	Mathison	Stone
Callahan	Givhan	Merrill	Sullivan
Coburn	Hankins	Molette	Taylor (Autauga)
Cole	Hardy	Nettles	Thagard
Cox	Harris	Norman	Thomas
Crocker	Harrison	O'Neal	Thompson (Crenshaw)
Crook	Haynes (Lowndes)	Pflegler	Thompson (Pike)
Denton	Inzer	Pinkston	Tucker
Dobbs (Fayette)	Knight	Pruitt	Wallace
Doughty	Larkins	Ramey	Weaver
Duffee	Leonard	Richardson	Whitcomb
Dyar	McClendon	Rogers	White (Covington)
Faulk	McDonald	Sellers	Wood (Bibb)
Ganey			

—65

RESOLUTIONS

The following resolutions were introduced:

By Mr. Molette:

H. J. R. 25. Be it resolved by the House of Representatives, the Senate concurring, That Senate Bill No. 55 be known as the Quarles, Molette, Givhan, and Hardy Bill.

On motion of Mr. Molette the rules were suspended and H. J. R. 25 was adopted.

Also:

By Mr. White of Perry:

H. J. R. 26. WHEREAS, the State of Alabama is intensely interested in the development of all livestock and agricultural activities throughout the State; and

WHEREAS, Blonde Aim Susie, 1509217, a Jersey cow, owned and shown by Dr. Joseph D. Wilson and Mr. Jack R. Wilson, owners of Dutch Bend Farm at Autaugaville, Alabama, was shown at the All-American Jersey Show at Dallas, Texas, on October 19, 1950; and

WHEREAS, Blonde Aim Susie was adjudged All-American Champion at the aforesaid show which has brought honor to the State of Alabama by virtue of such victory and she has also commanded the attention and acclaim of the entire dairy world; and

WHEREAS, Blonde Aim Susie, having reached the pinnacle in the Jersey World, and by so doing was awarded the Morrocroft Grand

Champion Trophy and Rosette, together with the Middlebrook Farm Senior Champion Banner and Trophy.

BE IT THEREFORE RESOLVED by the House of Representatives of the Legislature of Alabama, the Senate concurring, that the two Houses extend their felicitations and thanks to Dr. Joseph D. Wilson and Jack R. Wilson, owners of the champion Blonde Aim Susie, for their intense interest and perseverance which has reflected honor upon the livestock industry and the state as a whole.

BE IT FURTHER RESOLVED that Blonde Aim Susie be acclaimed, by this Legislature, as the winner of the first grand championship in the Coliseum at the Montgomery Dairy Cattle Exposition.

BE IT FURTHER RESOLVED that a picture of Blonde Aim Susie, of suitable size, be hung in the foyer of the Coliseum. Said picture to be selected and hung by the Agricultural Center Board.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Dr. Joseph D. Wilson and Mr. Jack R. Wilson, Dutch Bend Farm, Autaugaville, Alabama, and a copy of this resolution be spread upon the Journal of the two Houses.

On motion of Mr. White of Perry the rules were suspended and H. J. R. 26 was adopted.

BILLS ON THIRD READING RESUMED

S. 40. Proposing an amendment to the Constitution of Alabama relating to Blount County, and ordering an election thereon.

Was read a third time at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dumas	McDonald	Shirley
Adams (Dale)	Dyar	McGowin	Sightler
Black	Faulk	Martin	Stone
Brannan	Ganey	Mason	Sullivan
Brassell	Garrett	Mathison	Taylor (Autauga)
Brown	George	Molette	Taylor (Hale)
Callahan	Gillis	Nettles	Thagard
Coburn	Hankins	O'Neal	Thompson (Crenshaw)
Cole	Hardy	Pfleger	Thompson (Pike)
Cox	Harrison	Pinkston	Tucker
Crocker	Haynes (Lowndes)	Pruitt	Wallace
Crook	Inzer	Ramey	Ward
Denton	Knight	Richardson	Weaver
Dobbs (Fayette)	Larkins	Rogers	Whitcomb
Doughty	Leonard	Sellers	White (Covington)
Duffee	McClendon	Shelton	Wood (Bibb)

—64

And the bill:

H. 36. To create the State Medical Education Board; to prescribe its duties; and to provide for loans and scholarships to students desiring to study medicine.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 51; Nays 3.

Yeas:

Mr. Speaker	Brassell	Cole	Dobbs (Fayette)
Adams (Dale)	Bush	Cox	Dumas
Black	Callahan	Crocker	Dyar
Brannan	Coburn	Crook	Ganey

George	McDonald	Richardson	Thompson (Crenshaw)
Hankins	Martin	Roberts	Thompson (Pike)
Hardy	Mason	Sellers	Tucker
Harris	Mathison	Shirley	Wallace
Harrison	Merrill	Sightler	Ward
Knight	Molette	Stewart	Weaver
Larkins	Nettles	Taylor (Hale)	White (Covington)
Leonard	Norman	Thagard	White (Perry)
McClendon	Ramey	Thomas	—51

Nays: Messrs. Brown, Gibson and Inzer —3

And the bill:

(with amendment):

H. 37. To propose an amendment to the Constitution of Alabama.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Constitution and Elections, said committee amendment being as follows:

Amend H. B. 37 by striking out the first sentence of Section 2 and inserting in lieu thereof the following:

"An election upon the proposed amendment is ordered to be held at the general election next succeeding this session of the Legislature."

And the amendment was adopted.

Yeas 53; Nays 1.

Yeas:

Mr. Speaker	Dyar	Martin	Sightler
Armstrong	Ganey	Mason	Sullivan
Brannan	Garrett	Mathison	Taylor (Autauga)
Brassell	George	Merrill	Thomas
Brown	Gibson	Nettles	Thompson (Crenshaw)
Bush	Hankins	Norman	Thompson (Pike)
Callahan	Ingalls	O'Neal	Tucker
Coburn	Inzer	Pfleger	Wallace
Cox	Knight	Pinkston	Ward
Crocker	Larkins	Ramey	Weaver
Crook	Leonard	Roberts	White (Covington)
Denton	McClendon	Rogers	White (Perry)
Dobbs (Fayette)	McDonald	Sellers	Wood (Bibb)
Duffee			—53

Nays: Mr. Gillis —1

And said bill, H. 37, as thus amended, was read a third time at length and lost.

Yeas 56; Nays 1.

Yeas:

Mr. Speaker	Coburn	Doughty	Gibson
Armstrong	Cox	Duffee	Hankins
Brannan	Crocker	Dyar	Ingalls
Brassell	Crook	Ganey	Inzer
Brown	Denton	Garrett	Knight
Callahan	Dobbs (Fayette)	George	Larkins

Leonard	Norman	Sellers	Thompson (Pike)
McClendon	O'Neal	Shirley	Tucker
McDonald	Pflegler	Sightler	Wallace
Martin	Pinkston	Sullivan	Ward
Mason	Ramey	Taylor (Autauga)	Weaver
Mathison	Richardson	Taylor (Hale)	White (Covington)
Merrill	Roberts	Thomas	White (Perry)
Nettles	Rogers	Thompson (Crenshaw)	Wood (Bibb)

—56

Nays: Mr. Gillis

—1

And the bill:

S. 12. To provide supernumerary solicitors of the state; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation, and the method of removal from office of such supernumerary circuit solicitors, and to appropriate funds for the payment of such compensation.

Was read a third time at length and passed.

Yeas 51; Nays 4.

Yeas:

Mr. Speaker	Dyar	Malone	Stone
Brannan	Faulk	Martin	Sullivan
Brassell	Gibson	Mathison	Taylor (Autauga)
Brown	Givhan	Nettles	Thagard
Busby	Harris	Pinkston	Thomas
Bush	Harrison	Ramey	Thompson (Crenshaw)
Callahan	Haynes (Lowndes)	Richardson	Thompson (Pike)
Coburn	Hornsby	Roberts	Tucker
Cox	Ingalls	Rogers	Wallace
Crocker	Inzer	Sellers	Ward
Dobbs (Fayette)	Larkins	Shelton	Weaver
Doughty	Leonard	Sightler	Whitcomb
Duffee	McGowin	Stewart	

—51

Nays:

Messrs.:	Ganey	Garrett	Pflegler
Cole			

—4

And the bill:

(with amendment):

H. 38. Proposing an amendment to Article VIII, Section 181 of the Constitution of Alabama, as amended, which relates to suffrage and elections; ordering a special election thereon and providing for the payment of expenses of holding the election.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Constitution and Elections, said committee amendment being as follows:

Amend H. B. 38 by striking from the title the words "ordering a special election thereon and providing for the payment of expenses of holding the election," and by striking out the first sentence of Section 2 and inserting in lieu thereof the following:

"An election upon the proposed amendment is ordered to be held at the general election next succeeding this session of the Legislature."

And the amendment was lost.

Yeas 30; Nays 2.

Yeas:

Mr. Speaker	Givhan	McDonald	Rogers
Adams (Dale)	Hankins	Martin	Stewart
Brannan	Hardy	Merrill	Stone
Brassell	Haynes (Lowndes)	Molette	Taylor (Autauga)
Crook	Hornsby	Nettles	Thomas
Dobbs (Fayette)	Inzer	Norman	Tucker
Duffee	Larkins	Pfleger	Wallace
Faulk	Leonard		

—30

Nays: Messrs. Coburn and Whitcomb

—2

And said bill, H. 38, was read a third time at length and lost.

Yeas 25; Nays 1.

Yeas:

Messrs.:	Hardy	Molette	Taylor (Autauga)
Adams (Dale)	Haynes (Lowndes)	Ramey	Thomas
Brannan	Hornsby	Shirley	Thompson (Crenshaw)
Crocker	Knight	Stewart	Tucker
Crook	Leonard	Stone	Wallace
Duffee	Martin	Sullivan	Whitcomb
Givhan	Mathison		

—25

Nays: Mr. Inzer

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Hooton:

S. J. R. 16. BE IT RESOLVED BY THE SENATE, the House of Representatives concurring, that in accordance with the Amendment to the Constitution proposed by General Act No. 384 of the 1945 Legislature of Alabama and ratified by the people in the November 1946 election, each member of the Legislature, in addition to his travel allowance, shall be allowed expenses, other than actual expenses of traveling, incurred in the performance of his duties, the sum of \$10.00 per day; and the State Comptroller shall draw warrants in the sum of \$10.00 per day for eleven days to cover the expenses of each member of the Legislature, which expenses were incurred in the prior fiscal year. Said warrants to be drawn against the current appropriation to the Legislature for the fiscal year ending September 30, 1951.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell the rules were suspended and the House concurred in and adopted the S. J. R. 16 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Wright (by request):

S. 69. Relating to Limestone County: To amend Section 3 of Act No. 121, S. 211 of 1947 (Local Acts of Alabama, page 79) as amended by Act No. 163, H. 564 of 1949 (General and Local Acts of Alabama 1949, page 190) which relates to the number and compensation of deputies appointed by the Sheriff of Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
LIMESTONE COUNTY

Notice is hereby given that at the present session of the Legislature of Alabama a bill will be introduced to amend Section 3 of Act No. 121, S. 211 of 1947 (Local Acts of 1947, page 79) as previously amended by Act No. 163, H. 564 of 1949 (General and Local Acts of Alabama 1949, page 190), by increasing the maximum compensation payable to the chief deputy sheriff of Limestone County to two thousand seven hundred dollars (\$2,700) annually and the maximum compensation payable to the other deputies to two thousand four hundred dollars (\$2,400) annually, and application for its passage and enactment will be made.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Owner of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 14, Sept. 21, Sept. 28, and Oct. 5, all in the year 1950.

STEELE MCGREW.

Sworn to and subscribed before me October 9, 1950.

ALDENA CHAPMAN,
Notary Public.

Also:

By Mr. Wright (by request):

S. 68. Relating to Limestone County: To amend Section 2 of Act No. 120, S. 210 of 1947 (Local Acts of Alabama 1947, page 78) as amended by Act No. 68, S. 258 of 1949 (General and Local Acts of Alabama 1949, page 90) which relates to the employment of and compensation of a clerk for the Tax Collector of Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the present session of the Legislature of Alabama a bill will be introduced to amend Section 2 of Act No. 120, S. 210 of 1947 (Local Acts of Alabama 1947, page 78) as previously amended by Act No. 68, S. 258 of 1949 (General and Local Acts of Ala-

bama 1949, page 90), by increasing the maximum compensation payable to the clerk for the Tax Collector of Limestone County to one hundred and seventy five dollars (\$175) per month, and application for its passage and enactment will be made.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Owner of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 14, Sept. 21, Sept. 28, and Oct. 5, all in the year 1950.

STEELE MCGREW.

Sworn to and subscribed before me October 9, 1950.

ALDENA CHAPMAN,
Notary Public.

Also:

By Mr. Wright (by request):

S. 67. Relating to Limestone County: To amend Section 2 of Act No. 201, H. 605 of 1947 (Local Acts of Alabama 1947, page 120) which relates to the number and compensation of chief clerk and assistant clerks appointed by the Probate Judge of Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the present session of the Legislature of Alabama a bill will be introduced to amend Section 2 of Act No. 201, H. 605 of 1947 (Local Acts of Alabama 1947, page 120) by increasing the maximum compensation payable to the chief clerk of the Probate Office of Limestone County to twenty seven hundred dollars (\$2,700) annually, and the maximum compensation payable to the assistant clerks of the Probate Office of Limestone County to twenty one hundred dollars (\$2,100) annually, and application for its passage and enactment will be made.

Oct. 5

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Owner of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 14, Sept. 21, Sept. 28, and Oct. 5, all in the year 1950.

STEELE MCGREW.

Sworn to and subscribed before me October 9, 1950.

ALDENA CHAPMAN,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 69—Local Legislation.

S. 68—Local Legislation.

S. 67—Local Legislation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Wright (by request):

S. 65. Relating to Limestone County: To amend Section 2 of Act No. 95, H. 395 of 1947 (Local Acts of Alabama 1947, page 67) as amended by Act No. 67, S. 257 of 1949 (General and Local Acts of Alabama 1949, page 88) which relates to the employment and compensation of a regular clerk and temporary clerk by and for the Tax Assessor of Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the present session of the Legislature of Alabama a bill will be introduced to amend Section 2 of Act No. 95, H. 395 of 1947 (Local Acts of Alabama 1947, page 67) as previously amended by Act No. 67, S. 257 of 1949 (General and Local Acts of Alabama 1949, page 88) by increasing the maximum compensation payable to the regular clerk for the Tax Assessor of Limestone County to one hundred and seventy five dollars (\$175) per month, and application for its passage and enactment will be made.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Owner of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 14, Sept. 21, Sept. 28, and Oct. 5, all in the year 1950.

STEELE MCGREW.

Sworn to and subscribed before me October 9, 1950.

ALDENA CHAPMAN,
Notary Public.

Also:

By Mr. Wright (by request):

S. 66. Relating to Limestone County: To amend Section 2 of Act No. 200, H. 604 of 1947 (Local Acts of Alabama 1947, page 119) as amended by Act No. 95, S. 264 of 1949 (General and Local Acts of Alabama 1949, page 121) which relates to the consolidation and combination of offices of the Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone

County Court and Register of the Limestone County Court of Limestone County, Alabama; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County and for an assistant clerk and his compensation.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the present session of the Legislature of Alabama a bill will be introduced to amend Section 2 of Act No. 200, H. 604 of 1947 (Local Acts of Alabama 1947, page 119) as previously amended by Act No. 95, S. 264 of 1949 (General and Local Acts of Alabama 1949, page 121), by increasing the maximum compensation payable to the assistant clerk of the Circuit Court of Limestone County to twenty one hundred

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Owner of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 14, Sept. 21, Sept. 28, and Oct. 5, all in the year 1950.

STEELE MCGREW.

Sworn to and subscribed before me October 9, 1950.

ALDEN A. CHAPMAN,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 65—Local Legislation.

S. 66—Local Legislation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Allen:

S. 74. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 75,000 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

Also:

By Mr. Mize:

S. 75. To extend, alter and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

The following bill will be introduced in the next special session of the Alabama Legislature.

AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said City all of the following additional adjacent territory:

Beginning at a point on the north margin of Hargrove Road where the line dividing Range 9 West and Range 10 West crosses said road, thence north along the present boundary line of the City of Tuscaloosa to the southwest corner of the southwest quarter of the northwest quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 30, Township 21 South, Range 9 West, thence east along the present boundary line of the City of Tuscaloosa to the southeast corner of the southwest quarter of the northwest quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 30, Township 21 South, Range 9 West, thence south along the east line of the west half of the southwest quarter of Section 30, Township 21 South, Range 9 West to the southeast corner of the southwest quarter of the southwest quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section 30, Township 21 South, Range 9 West, thence west a distance of 709.2 feet along the south margin of the southwest quarter of the southwest quarter of Section 30, Township 21 South, Range 9 West to a point, thence north and parallel to the east line of the west half (W $\frac{1}{2}$) of the southwest quarter of Section 30, Township 21 South, Range 9 West a distance of 1564.4 feet to the north margin of Hargrove Road, thence west along the north margin of the Hargrove Road to the point of beginning.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

Sept. 19, 26—Oct. 3, 10—4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, Inc., a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on September 19, September 26, October 3, and October 10, all in the year 1950.

BUFORD BOONE,
Publisher.

Sworn to and subscribed before me October 10, 1950.

LEO J. JONES,
Notary Public, State at Large Alabama.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 74—Local Legislation.

S. 75—Local Legislation.

BILLS ON THIRD READING RESUMED

The motion of Mr. Givhan to suspend the rules in order to bring up for immediate consideration the bill, S. 9, instead of the bill, H. 76, was adopted.

Yeas 60; Nays 6.

Yeas:

Messrs.:	Gibson	Malone	Stewart
Adams (Dale)	Gillis	Martin	Stone
Brannan	Givhan	Mason	Sullivan
Brassell	Hardy	Mathison	Taylor (Autauga)
Brown	Harris	Molette	Taylor (Hale)
Bush	Harrison	Nettles	Thagard
Callahan	Haynes (Lowndes)	Norman	Thomas
Crocker	Ingalls	Pfleger	Thompson (Pike)
Crook	Kaul	Pruitt	Tucker
Denton	Knight	Ramey	Wallace
Duffee	Larkins	Richardson	Ward
Dumas	Leonard	Sadler	Whitcomb
Dyar	McClendon	Sellers	White (Covington)
Faulk	McDonald	Shirley	White (Perry)
Ganey	McGowin	Sightler	Wood (Bibb)
Garrett			

—60

Nays:

Mr. Speaker	Cole	Roberts	Shelton
Coburn	Inzer		

—6

And the bill:

S. 9. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector; ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature; and making an appropriation to pay the expenses of holding the election.

Was taken up.

Mr. Merrill offered the following amendment to the bill, S. 9:

Amend S. B. 9 by striking from the title the words "ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature," and inserting in lieu thereof the following: "ordering an election upon such proposed amendment at the next general or special election," and by striking from the first sentence of Section 2 the words "on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature," and inserting in lieu thereof the following: "at the next general or special election."

On motion of Mr. Givhan the amendment offered by Mr. Merrill to the bill, S. 9, was laid upon the table.

Yeas 59; Nays 14.

Yeas:

Messrs.:	Gillis	Martin	Stewart
Adams (Dale)	Givhan	Mason	Stone
Brannan	Hardy	Mathison	Sullivan
Brassell	Harris	Molette	Taylor (Autauga)
Brown	Harrison	Nettles	Taylor (Hale)
Bush	Haynes (Lowndes)	Norman	Thagard
Callahan	Hornsby	Pflegger	Thomas
Crocker	Ingalls	Pruitt	Thompson (Pike)
Crook	Inzer	Ramey	Tucker
Denton	Knight	Richardson	Wallace
Duffee	Larkins	Rogers	Ward
Dyar	McClendon	Sadler	Whitcomb
Faulk	McDonald	Sellers	White (Covington)
Ganey	McGowin	Shirley	White (Perry)
Garrett	Malone	Sightler	Wood (Bibb)

—59

Nays:

Mr. Speaker	Dobbs (Fayette)	Hankins	Pinkston
Adams (Jefferson)	Dumas	Kaul	Roberts
Coburn	George	Merrill	Weaver
Cole	Gibson		

—14

And the bill, S. 9, was read a third time at length and lost.

Yeas 61; Nays 6.

Yeas:

Messrs.:	Gibson	Martin	Stone
Adams (Dale)	Gillis	Mason	Sullivan
Brannan	Givhan	Mathison	Taylor (Autauga)
Brassell	Hankins	Molette	Taylor (Hale)
Brown	Hardy	Nettles	Thagard
Bush	Harrison	Norman	Thomas
Callahan	Haynes (Lowndes)	Pflegger	Thompson (Crenshaw)
Cox	Hornsby	Pruitt	Tucker
Crocker	Ingalls	Ramey	Wallace
Crook	Kaul	Richardson	Ward
Denton	Knight	Rogers	Weaver
Duffee	Larkins	Sadler	Whitcomb
Dumas	Leonard	Sellers	White (Covington)
Faulk	McClendon	Shirley	White (Perry)
Ganey	McDonald	Stewart	Wood (Bibb)
Garrett	McGowin		

—61

Nays:

Mr. Speaker	Harris	Malone	Merrill
Coburn	Inzer		

—6

The motion of Mr. Malone to reconsider the vote by which the bill, S. 9, was lost, was adopted.

Yeas 62; Nays 4.

Yeas:

Messrs.:	Brannan	Bush	Crook
Adams (Dale)	Brassell	Callahan	Denton
Adams (Jefferson)	Brown	Crocker	Duffee

Dumas	Kaul	Norman	Taylor (Hale)
Faulk	Knight	Pfleger	Thagard
Ganey	Larkins	Pruitt	Thomas
Garrett	Leonard	Ramey	Thompson (Pike)
Gibson	McClendon	Richardson	Tucker
Gillis	McDonald	Sadler	Wallace
Givhan	McGowin	Sellers	Ward
Hardy	Malone	Shirley	Weaver
Harris	Martin	Sightler	Whitcomb
Harrison	Mason	Stewart	White (Covington)
Haynes (Lowndes)	Mathison	Stone	White (Perry)
Hornsby	Molette	Sullivan	Wood (Bibb)
Ingalls	Nettles	Taylor (Autauga)	

—62

Nays:

Mr. Speaker	Cole	Haynes (Franklin)	Inzer
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—4

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 28. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

Also:

H. 45. To impose extra, new and additional duties upon the President and associate members of the Board of Revenue of Covington County; to require an additional regular meeting of said board during each month; and to provide a monthly sum in payment of expenses for the performance of such extra duties and attendance upon said additional regular meeting.

Also:

H. 49. To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Assessor of the County.

Also:

H. 48. To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Collector of the County.

Also:

H. 64. To amend "An Act to establish a county court for DeKalb County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County, Alabama, to the cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County, Alabama", acts No. 179, approved July 22, 1927, as amended by amending Section 5 thereof to read as hereafter set out.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution, and returns same herewith to the House:

H. J. R. 25. Naming Senate Bill 55.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 47. Relating to Colbert County, Alabama: To abrogate and abolish the criminal jurisdiction of justices of the peace and notaries public ex-officio justices of the peace in Colbert County, Alabama, and to provide for proceedings of such causes in the Colbert Law and Equity Court of Colbert County, Alabama.

J. E. SPEIGHT,
Secretary.

H. 40 INDEFINITELY POSTPONED

On motion of Mr. Taylor of Autauga the bill, H. 40, was indefinitely postponed.

MOTION TO ADJOURN LOST

The motion of Mr. Black to adjourn until Wednesday, October 25, 1950, at ten o'clock A. M., was lost.

Yeas 9; Nays 54.

Yeas:

Messrs.:	Denton	Haynes (Franklin)	Shelton	
Black	Dobbs (Fayette)	Hornsby	Sullivan	
Coburn	Dyar			—9

Nays:

Messrs.:	Garrett	Mason	Taylor (Autauga)
Adams (Dale)	Gibson	Molette	Taylor (Hale)
Adams (Jefferson)	Givhan	Norman	Thagard
Brannan	Hankins	Pinkston	Thomas
Brassell	Hardy	Pruitt	Thompson (Pike)
Brown	Harris	Ramey	Tucker
Bush	Haynes (Lowndes)	Richardson	Wallace
Cox	Inzer	Rogers	Ward
Crocker	Kaul	Sadler	Weaver
Crook	Larkins	Sellers	Whitcomb
Duffee	McClendon	Shirley	White (Covington)
Dumas	McDonald	Sightler	White (Perry)
Faulk	McGowin	Stewart	Wood (Bibb)
Ganey	Martin	Stone	—54

BILLS ON THIRD READING RESUMED

H. 84. To amend Section 298 of the Code of Alabama (1940), which relates to the minimum age at which children may enter school.

As amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 1.

Yeas:

Mr. Speaker	Crook	Larkins	Roberts
Adams (Dale)	Dobbs (Fayette)	McDonald	Rogers
Adams (Jefferson)	Dyar	McGowin	Sightler
Benford	Faulk	Malone	Stewart
Black	George	Martin	Sullivan
Brannan	Givhan	Mason	Taylor (Hale)
Brassell	Hankins	Mathison	Thagard
Brown	Hardy	Merrill	Thomas
Bush	Harris	Molette	Wallace
Callahan	Haynes (Franklin)	Nettles	Ward
Coburn	Haynes (Lowndes)	Pfleger	Weaver
Cole	Hornsby	Ramey	White (Covington)
Cox	Inzer	Richardson	White (Perry)
Crocker	Knight		

—54

Nays: Mr. Dumas

—1

MOTION TO RECESS LOST

The motion of Mr. Adams of Jefferson to recess until two o'clock this afternoon was lost.

Yeas 21; Nays 44.

Yeas:

Mr. Speaker	Dobbs (Fayette)	Kaul	Richardson
Adams (Jefferson)	Dyar	Knight	Roberts
Benford	Ganey	Leonard	Sadler
Brannan	Gibson	Merrill	Shelton
Coburn	Hornsby	Pinkston	Weaver
Cole			

—21

Nays:

Messrs.:	Garrett	Martin	Taylor (Hale)
Adams (Dale)	George	Mason	Thagard
Black	Hankins	Mathison	Thomas
Brassell	Harrison	Norman	Thompson (Pike)
Brown	Haynes (Franklin)	Pfleger	Tucker
Bush	Haynes (Lowndes)	Ramey	Wallace
Cox	Inzer	Sellers	Ward
Crocker	McClendon	Shirley	Whitcomb
Crook	McDonald	Sightler	White (Covington)
Denton	McGowin	Stone	White (Perry)
Duffee	Malone	Sullivan	Wood (Bibb)
Faulk			

—44

S. 22 INDEFINITELY POSTPONED

On motion of Mr. Garrett the bill, S. 22, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

S. 20. To amend Section 31 of Title 17 of the Code of Alabama (1940), which relates to the examination of applicants for registration as voters.

Was read a third time at length and lost.

Yeas 19; Nays 4.

Yeas:

Mr. Speaker	Cox	Hankins	Ramey	
Adams (Dale)	Denton	Hardy	Sightler	
Adams (Jefferson)	Dobbs (Fayette)	Malone	Taylor (Autauga)	
Brannan	Faulk	Martin	Weaver	
Bush	Givhan	Molette		—19

Nays:

Messrs.:	Haynes (Lowndes)	Inzer	Leonard	
Dyar				—4

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 25. Relative to designating S. B. 55 as the Quarles, Molette, Givhan, and Hardy Bill.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 28. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tusculumbia in Colbert County, Alabama.

Also:

H. 45. To impose extra, new and additional duties upon the President and associate members of the Board of Revenue of Covington County; to require an additional regular meeting of said board during each month; and to provide a monthly sum in payment of expenses for the performance of such extra duties and attendance upon said additional regular meeting.

Also:

H. 47. Relating to Colbert County, Alabama: To abrogate and abolish the criminal jurisdiction of justices of the peace and notaries public ex-officio justices of the peace in Colbert County, Alabama, and to provide for proceedings of such causes in the Colbert Law and Equity Court of Colbert County, Alabama.

Also:

H. 48. To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Collector of the County.

Also:

H. 49. To authorize and direct the governing body of Dale County to pay the salaries of additional clerks for the Tax Assessor of the County.

Also:

H. 64. To amend "An Act to establish a county court for DeKalb County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County, Alabama, to the cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County, Alabama", acts No. 179, approved July 22, 1927, as amended, by amending Section 5 thereof to read as hereafter set out.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION

The motion of Mr. Norman to suspend the rules in order to take up the third reading of the bill, S. 9, was adopted.

Yeas 60; Nays 6.

Yeas:

Messrs.:	Givhan	Martin	Stewart
Adams (Dale)	Hardy	Mason	Stone
Brannan	Harris	Mathison	Sullivan
Brassell	Harrison	Molette	Taylor (Autauga)
Brown	Haynes (Lowndes)	Nettles	Taylor (Hale)
Bush	Hornsby	Norman	Thagard
Callahan	Ingalls	Pfleger	Thomas
Cox	Kaul	Pruitt	Thompson (Pike)
Crocker	Knight	Ramey	Tucker
Crook	Larkins	Richardson	Wallace
Denton	Leonard	Rogers	Ward
Duffee	McClendon	Sadler	Whitcomb
Faulk	McDonald	Sellers	White (Covington)
Garrett	McGowin	Shirley	White (Perry)
George	Malone	Sightler	Wood (Bibb)
Gibson			

—60

Nays:

Mr. Speaker	Cole	Inzer	Roberts
Coburn	Haynes (Franklin)		

—6

RECESS

On motion of Mr. Harris the House recessed until three o'clock this afternoon.

AFTERNOON SESSION

The hour of three o'clock P. M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate, having signed the following Senate Joint Resolution your signature thereto is requested:

S. J. R. 16. Relative to members of the Legislature receiving \$10.00 per day for expenses.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business, which was the bill:

(with substitute):

H. 88. To amend Section 542 of Title 51, Code of Alabama 1940, which relates to privilege license on laundried towels, aprons, etc., rented.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 542, Title 51, Code of Alabama, 1940, which relates to privilege licenses on laundried towels, aprons, etc., rented, and to provide for the retroactive effect thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 542 of Title 51, Code of Alabama, 1940, is amended to read as follows:

"Section 542. Each person, firm, or corporation who is engaged in the service and business of renting or supplying laundried towels, aprons, coats, linens or supplying other similar service, in any county in this State, whether such person, firm, or corporation has a plant or an established place of business in said county or in said State or not, shall pay one State license of \$50.00 for furnishing such service or carrying on such business in this State. In addition to the State license, each

person, firm, or corporation engaged in such service or business shall pay a county license in each county in this State in which such service is rendered or business is carried on which shall be measured by the population of the largest city or town of the county in which such service is rendered or business is carried on, as follows: in cities of one hundred thousand inhabitants or over, fifty dollars; in cities or towns of sixty thousand and less than one hundred thousand inhabitants, thirty-five dollars; in cities or towns of twenty-five thousand and less than sixty thousand inhabitants, twenty-five dollars; in cities and towns of ten thousand and less than twenty-five thousand inhabitants, fifteen dollars; and in all other places whether incorporated or not, ten dollars. Provided, that this section shall not apply to regular laundries in the county or counties in which their plant or plants are located which have paid the licenses on laundries levied by Section 453 of Title 51, Code of Alabama, 1940."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, and it shall have retroactive operation to October 1, 1950.

And the substitute was adopted.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Hankins	Mason	Stewart
Adams (Dale)	Hardy	Mathison	Stone
Adams (Jefferson)	Harris	Merrill	Sullivan
Brannan	Harrison	Molette	Taylor (Autauga)
Brassell	Haynes (Franklin)	Nettles	Taylor (Hale)
Brown	Haynes (Lowndes)	Norman	Thomas
Bush	Hornsby	Pruitt	Thompson (Pike)
Callahan	Ingalls	Ramey	Tucker
Crocker	Knight	Richardson	Wallace
Crook	Leonard	Sadler	Ward
Faulk	McClendon	Sellers	Whitcomb
Ganey	McDonald	Shirley	White (Perry)
Gibson	McGowin	Sightler	Wood (Bibb)
Gillis	Martin		

—54

And said bill, H. 88, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Gillis	Martin	Shirley
Adams (Dale)	Givhan	Mason	Sightler
Adams (Jefferson)	Hankins	Mathison	Stewart
Brannan	Hardy	Merrill	Stone
Brassell	Harris	Molette	Sullivan
Brown	Harrison	Nettles	Taylor (Autauga)
Bush	Haynes (Franklin)	Norman	Taylor (Hale)
Callahan	Haynes (Lowndes)	Pflegler	Thomas
Crocker	Hornsby	Pinkston	Thompson (Pike)
Crook	Ingalls	Pruitt	Tucker
Dyar	Knight	Ramey	Wallace
Faulk	Leonard	Richardson	Ward
Ganey	McClendon	Sadler	Whitcomb
Garrett	McGowin	Sellers	White (Covington)
Gibson	Malone	Shelton	Wood (Bibb)

—60

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 26. Extending felicitations and thanks to Dr. Joseph D. Wilson and Jack R. Wilson, owners of the champion Blonde Aim Susie, for their intense interest and perseverance which has reflected honor upon the livestock industry and the state, and relative to select a picture of Blonde Aim Susie to be hung in the foyer of the Coliseum.

Also:

H. J. R. 17. Authorizing and directing Clerk of the House and Secretary of Senate to install air-conditioning on certain portions of the second floor of the State Capitol.

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED

H. 89. To amend Section 543 of Title 51, Code of Alabama (1940), which relates to privilege licenses.

Was read a third time at length and lost.

Yeas 42; Nays 0.

Yeas:

Mr. Speaker	Gillis	McGowin	Sellers
Adams (Jefferson)	Hardy	Martin	Shelton
Brannan	Harris	Mathison	Sightler
Brassell	Haynes (Franklin)	Merrill	Stewart
Bush	Haynes (Lowndes)	Nettles	Sullivan
Callahan	Hornsby	Norman	Taylor (Autauga)
Cox	Ingalls	Pinkston	Thompson (Pike)
Crook	Knight	Pruitt	Tucker
Faulk	Leonard	Ramey	Wallace
Ganey	McClendon	Richardson	Wood (Bibb)
Gibson	McDonald		

—42

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,
W. V. (Bill) LYERLY,
Executive Secretary.

October 24, 1950.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

Your sons and daughters and those of your neighbors are scattered Eastward to Berlin and Westward to the borders of Manchuria and Korea. Some are dying for the right of the peoples of the world to vote. Others may have to die.

Before this Body for reconsideration is a bill designed to hamper the home folks from voting. This bill is admittedly, by our highest courts, unconstitutional. This Legislature has before disapproved this bill in one form or another. This Legislature, I believe, should again let the people know where they stand by refusing to approve the so-called Boswell Substitute.

Respectfully,

JAMES E. FOLSOM,
Governor.

October 24, 1950.

GOVERNOR'S MESSAGE

Received, read and ordered filed.

BILLS ON THIRD READING RESUMED

S. 53. To ratify, confirm and validate the allocation and distribution heretofore made by the State of Alabama Building Commission of the sum of \$65,000.00 to each of the Regional Tuberculosis Sanatoria located in District No. 1 at Decatur, Alabama and in District No. 4, Etowah County, Alabama.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Dumas	McDonald	Shelton
Adams (Dale)	Dyar	McGowin	Shirley
Adams (Jefferson)	Faulk	Malone	Sightler
Black	Ganey	Martin	Stewart
Brannan	Garrett	Mason	Stone
Brassell	Gibson	Mathison	Sullivan
Brown	Gillis	Merrill	Taylor (Autauga)
Busby	Givhan	Molette	Taylor (Hale)
Bush	Hankins	Norman	Thomas
Callahan	Hardy	Pflegler	Thompson (Pike)
Coburn	Harris	Pinkston	Tucker
Cole	Haynes (Franklin)	Pruitt	Wallace
Cox	Haynes (Lowndes)	Ramey	Ward
Crocker	Hornsby	Richardson	Whitcomb
Crook	Kaul	Rogers	White (Covington)
Denton	Knight	Sadler	White (Perry)
Doughty	Leonard	Sellers	Wood (Bibb)
Duffee	McClendon		

—70

MOTION LOST

The motion of Mr. Pinkston to indefinitely postpone the bill, S. 2, was lost.

Yeas 28; Nays 35.

Yeas:

Mr. Speaker	Crocker	Leonard	Sightler
Black	Dobbs (Fayette)	Molette	Stewart
Brassell	Gibson	Nettles	Stone
Busby	Haynes (Franklin)	Pflegler	Sullivan
Coburn	Hornsby	Pinkston	Tucker
Cole	Ingalls	Rogers	Ward
Cox	Inzer	Sellers	Whitcomb

—28

Nays:

Messrs.:	Faulk	Knight	Ramey
Adams (Dale)	Ganey	McClendon	Richardson
Adams (Jefferson)	Garrett	McGowin	Sadler
Brannan	Gillis	Malone	Taylor (Autauga)
Bush	Givhan	Martin	Thagard
Crook	Hankins	Mason	Thompson (Pike)
Denton	Hardy	Merrill	Wallace
Duffee	Harris	Norman	White (Covington)
Dumas	Haynes (Lowndes)	Pruitt	Wood (Bibb)

—35

And the bill:

S. 2. To prohibit persons under the influence of intoxicating liquors from driving motor vehicles; to provide that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference thereto; to make it unlawful to drive a motor vehicle while under the influence of any narcotic drug, and to provide for the punishment for any violation of the provisions of this Act, and for revocation of driver's license for violation thereof.

Was taken up.

Mr. Gibson offered the following amendment to the bill, S. 2:

Senate Bill 2 is hereby amended as follows:

1. Sec 1 b (1) is to read as follows:

"If there was at the time 0.15 percent or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor."

2. Sec 1. b (2) is hereby deleted.

And the amendment was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Dumas	Leonard	Rogers
Adams (Dale)	Faulk	McClendon	Sadler
Adams (Jefferson)	Ganey	McDonald	Sellers
Black	Garrett	Martin	Shirley
Brannan	Gibson	Mason	Stewart
Brassell	Gillis	Merrill	Taylor (Autauga)
Busby	Givhan	Molette	Taylor (Hale)
Bush	Hankins	Norman	Thagard
Coburn	Hardy	Pflegler	Thomas
Cole	Harris	Pinkston	Thompson (Pike)
Crocker	Haynes (Franklin)	Pruitt	Wallace
Crook	Haynes (Lowndes)	Ramey	Ward
Denton	Hornsby	Richardson	Whitcomb
Dobbs (Fayette)	Ingalls	Roberts	White (Covington)
Doughty	Inzer	Robinson	Wood (Bibb)
Duffee	Larkins		

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And said bill, S. 2, as thus amended, was read a third time at length and lost.

Yeas 49; Nays 2.

Yeas:

Mr. Speaker	Gibson	McDonald	Sadler
Adams (Dale)	Gillis	McGowin	Shirley
Adams (Jefferson)	Givhan	Martin	Taylor (Autauga)
Brannan	Hankins	Mason	Taylor (Hale)
Brown	Hardy	Merrill	Thagard
Bush	Harris	Molette	Thomas
Crook	Haynes (Lowndes)	Norman	Thompson (Pike)
Doughty	Hornsby	Pruitt	Wallace
Duffee	Kaul	Ramey	Ward
Dumas	Larkins	Richardson	White (Covington)
Faulk	Leonard	Robinson	White (Perry)
Ganey	McClendon	Rogers	Wood (Bibb)
Garrett			

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Nays: Messrs. Dobbs (Fayette) and Inzer

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 12. To provide supernumerary solicitors of the state; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation, and the method of removal from office of such supernumerary circuit solicitors, and to appropriate funds for the payment of such compensation.

Also:

S. 40. Proposing an amendment to the Constitution of Alabama relating to Blount County, and ordering an election thereon.

Also:

S. 42. For the relief of Mrs. Harry S. Parker as compensation for the death of her husband, Harry S. Parker, deceased, of Calhoun County, Alabama, as the result of injury received while he was in the line of and performing his duties as a road employee of Calhoun County, Alabama.

Also:

By Mr. Hughes:

S. 52. To fix the salary of the Deputy Solicitor of Geneva County.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 14. Making an additional appropriation to the Department of Examiners of Public Accounts for the fiscal year 1950-51.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill, and ordered same sent forthwith to the House without engrossment:

By Mr. Gullledge:

S. 18. For the relief of J. L. Messer: To make an appropriation to J. L. Messer to compensate him for damages to his truck and to a load of watermelons which he was hauling resulting from a collision caused by the negligence of a convict operating a State truck.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 18—Ways and Means.

BILLS ON THIRD READING RESUMED

S. 9. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector; ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature; and making an appropriation to pay the expenses of holding the election.

Was read a third time at length and lost.

Yeas 60; Nays 7.

Yeas:

Messrs.:	Garrett	McDonald	Sellers
Adams (Dale)	Gibson	McGowin	Stewart
Adams (Jefferson)	Gillis	Malone	Stone
Brannan	Givhan	Martin	Sullivan
Brassell	Hankins	Mason	Taylor (Autauga)
Brown	Hardy	Molette	Taylor (Hale)
Bush	Harris	Nettles	Thagard
Callahan	Harrison	Norman	Thomas
Crocker	Haynes (Lowndes)	Pfleger	Thompson (Pike)
Crook	Hornsby	Pruitt	Wallace
Denton	Ingalls	Ramey	Ward
Doughty	Kaul	Richardson	Whitcomb
Duffee	Larkins	Robinson	White (Covington)
Dumas	Leonard	Rogers	White (Perry)
Faulk	McClendon	Sadler	Wood (Bibb)
Ganey			

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Nays:

Mr. Speaker	Haynes (Franklin)	Merrill	Sightler
Coburn	Inzer	Roberts	

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 17. Relative to air conditioning the second floor of the State Capitol building.

Also:

H. J. R. 26. Relative to thanking Dr. J. D. Wilson and J. R. Wilson for their interest in livestock industry of the State, and resolving that a picture of Blonde Aim Susie, be hung in the foyer of the Coliseum.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Resolution and sends same herewith to the House for its consideration:

By Mr. Russell:

S. J. R. 25. Be It Resolved by the Senate, the House concurring; that Senate Bill No. 53 be known as the Harris-Russell, Sullivan, Miller, Weaver, Stewart, Inzer, Coburn, O'Neal, Rogers, Roberts, Benford, Armstrong, Buckner and Moring.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Sellers the rules were suspended and the House concurred in and adopted the S. J. R. 25 set out in the above and foregoing Message from the Senate.

MOTION TO ADJOURN LOST

The motion of Mr. Doughty to adjourn until Wednesday, October 25, 1950, at ten o'clock A. M., was lost.

Yeas 22; Nays 34.

Yeas:

Mr. Speaker
Benford
Brassell
Busby
Callahan
Coburn

Cox
Crocker
Dobbs (Fayette)
Garrett
Gillis
Haynes (Franklin)

Inzer
Larkins
Martin
Nettles
Ramey

Roberts
Shelton
Sightler
Thompson (Pike)
Whitcomb

Nays:

Messrs.:	Faulk	Malone	Stone
Adams (Dale)	Gibson	Mason	Sullivan
Adams (Jefferson)	Givhan	Molette	Taylor (Hale)
Brannan	Hankins	Pflegler	Thagard
Brown	Hardy	Pruitt	Tucker
Bush	Harrison	Robinson	Ward
Denton	Haynes (Lowndes)	Sadler	White (Covington)
Duffee	Kaul	Sellers	Wood (Bibb)
Dumas	McGowin	Shirley	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 15. To provide legal counsel for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this Act.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Sellers:

H. J. R. 27. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today they do adjourn to meet Wednesday 10 A. M., and when they adjourn tomorrow, Wed. Oct. 25, 1950, they adjourn sine die.

On motion of Mr. Sellers the rules were suspended and H. J. R. 27 was adopted.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:58 P. M. on October 24, 1950.

H. 28.
H. 45.
H. 48.
H. 49.
H. 64.
H. 47.
H. J. R. 25.

Delivered to the Governor at 4:05 P. M. on October 24, 1950.

H. J. R. 17.
H. J. R. 26.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Adams of Jefferson the House adjourned until Wednesday, October 25, 1950, at ten o'clock A. M.

TENTH DAY

House of Representatives,
Montgomery, Alabama,
Wednesday, October 25, 1950.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend A. S. Turnipseed, Pastor, Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Duffee	Leonard	Robinson
Adams (Dale)	Dumas	McClendon	Sadler
Adams (Jefferson)	Dyar	McDonald	Sellers
Armstrong	Faulk	McGowin	Shelton
Benford	Ganey	Malone	Shirley
Black	Garrett	Martin	Sightler
Brannan	George	Mathison	Still
Brown	Gibson	Meeks	Stone
Buckner	Gillis	Merrill	Sullivan
Busby	Hardy	Molette	Taylor (Hale)
Bush	Harris	Morring	Thagard
Callahan	Haynes (Franklin)	Nelson	Thomas
Coburn	Haynes (Lowndes)	Nettles	Thompson (Crenshaw)
Cox	Hornsby	O'Neal	Thompson (Pike)
Crocker	Ingalls	Pflegler	Wallace
Denton	Inzer	Pinkston	Ward
Dobbs (Elmore)	Kaul	Ramey	Weaver
Dobbs (Fayette)	Larkins	Roberts	Wood (Bibb)

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Ninth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Ninth Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Ninth Legislative Day was approved.

BILLS ON SECOND READING

Mr. Thomas, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Mr. Wright (by request):

S. 65. Relating to Limestone County: To amend Section 2 of Act No. 95, H. 395 of 1947 (Local Acts of Alabama 1947, page 67) as amended

by Act No. 67, S. 257 of 1949 (General and Local Acts of Alabama 1949, page 88) which relates to the employment and compensation of a regular clerk and temporary clerk by and for the Tax Assessor of Limestone County.

By Mr. Wright (by request):

S. 66. Relating to Limestone County: To amend Section 2 of Act No. 200, H. 604 of 1947 (Local Acts of Alabama 1947, page 119) as amended by Act No. 95, S. 264 of 1949 (General and Local Acts of Alabama 1949, page 121) which relates to the consolidation and combination of offices of the Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court and Register of the Limestone County Court of Limestone County, Alabama; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County and for an assistant clerk and his compensation.

By Mr. Wright (by request):

S. 67. Relating to Limestone County: To amend Section 2 of Act No. 201, H. 605 of 1947 (Local Acts of Alabama 1947, page 120) which relates to the number and compensation of chief clerk and assistant clerks appointed by the Probate Judge of Limestone County.

By Mr. Wright (by request):

S. 68. Relating to Limestone County: To amend Section 2 of Act No. 120, S. 210 of 1947 (Local Acts of Alabama 1947, page 78) as amended by Act No. 68, S. 258 of 1949 (General and Local Acts of Alabama 1949, page 90) which relates to the employment of and compensation of a clerk for the Tax Collector of Limestone County.

By Mr. Wright (by request):

S. 69. Relating to Limestone County: To amend Section 3 of Act No. 121, S. 211 of 1947 (Local Acts of Alabama, page 79) as amended by Act No. 163, H. 564 of 1949 (General and Local Acts of Alabama 1949, page 190) which relates to the number and compensation of deputies appointed by the Sheriff of Limestone County.

By Mr. Mize:

S. 75. To extend, alter and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 14. Making an additional appropriation to the Department of Examiners of Public Accounts for the fiscal year 1950-51.

Also:

H. 15. To provide legal counsel for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this Act.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 53. To ratify, confirm and validate the allocation and distribution heretofore made by the State of Alabama Building Commission of the sum of \$65,000.00 to each of the Regional Tuberculosis Sanatoria located in District No. 1 at Decatur, Alabama and in District No. 4, Etowah County, Alabama.

Also:

S. 55. To empower the governing body of the City of Selma, Alabama, when authorized by a vote of the qualified electors of said city, to levy in said city, additional special privilege or license taxes paralleling, with like provisions in said city, such State of Alabama taxes as are levied by said State by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto, except that only fifty per cent (50%) of the State levy provided by subdivisions (a), (b) and (c) of said Section 753 shall be made and shall be collected by said city; to provide a lien in favor of the City against the property of taxpayers liable for such taxes and to make the provisions of the Revenue Laws of the State of Alabama applicable to the enforcement of such liens; to provide that taxes which may be levied hereunder shall constitute a debt due said City and to provide methods of collection; to provide for the collection of such taxes by the Treasurer of said city and for reports to be made by taxpayers liable for such taxes; to provide that the Treasurer of said city as to the collection of such taxes shall have the same powers, duties and obligations as are imposed upon the Commissioner of Revenue of the State of Alabama by Sections 752 through Section 786, Article 10 of Chapter 20 of Title 51 of the 1940 Code of Alabama, and amendments thereto; to provide for expenses of clerk hire and other expenses incurred by said city in collecting, handling and disbursing such taxes; to provide that the taxes which may be levied hereunder shall be in addition to all other licenses and taxes which may be levied by said city and a condition precedent to engaging in any business taxable hereunder, except as may be otherwise provided; to provide for the time and manner, method and provision for the collection of said taxes; to provide that such taxes which may be levied hereunder shall be added by the taxpayer to the sales price and collected from the purchaser on all sales affected hereby and to provide the method of determining the amounts to be added to sales and collected from the purchaser and to provide a penalty for failure or refusal to abide by such requirements; to provide for the allocation and use of the taxes which may arise hereunder; to provide penalties for failure to comply with the provisions of this act; and to provide the governing body of said city with authority to call and hold an election to submit to the qualified electors of said city the question as to whether or not such taxes shall be levied, the length of time such taxes shall run and the rate thereof; to provide when this act shall go into effect.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present,

signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 34. To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 27. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today they do adjourn to meet Wednesday 10 A. M., and when they adjourn tomorrow, Wed. Oct. 25, 1950, they adjourn sine die.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 72. To increase the compensation of the State Auditor, the Secretary of State and the State Treasurer to the extent of \$1200.00 per annum.

Also:

H. 66. To fix the salary of the State Superintendent of Education.

J. E. SPEIGHT,
Secretary.

RESOLUTIONS

By Mr. Dumas:

H. J. R. 28. Be it Resolved by the House of Representatives the Senate Concurring, that House Bill 62 be known as the Beck, Miller, Dumas, Burnside, Boutwell Bill.

On motion of Mr. Dumas the rules were suspended and H. J. R. 28 was adopted.

Also:

By Mr. Wallace:

H. J. R. 29. Be It Resolved by the House the Senate concurring that H. B. 34 be known and designated as the Wallace, Hardwick, Adams (Dale), Patton, Merrill, Kendall, White (Perry), Mize, Martin, Lovelace, Thomas and Brassell Bill.

On motion of Mr. Wallace the rules were suspended and H. J. R. 29 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 34. To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor.

Also:

H. 66. To fix the salary of the State Superintendent of Education.

Also:

H. 72. To increase the compensation of the State Auditor, the Secretary of State and the State Treasurer to the extent of \$1200.00 per annum.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 87. To make an additional appropriation to the Board of Trustees of the Alabama Insane Hospitals for the use of the Alabama Insane Hospitals and the Partlow State School for Mental Deficients for the fiscal year ending September 30, 1951.

Also:

H. 83. To amend Section 6 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819), which establishes a county-wide personnel system for all counties of the state having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

Also:

H. 42. To repeal Act No. 263, S. 403, approved July 22, 1949 (Acts of Alabama, 1949, page 388), entitled "An Act To prohibit any person who carries mail under a contract with the United States from carrying passengers; to apply in and only in counties having a population of not less than 36,500 nor more than 42,400 inhabitants according to the most recent federal census."

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Callahan:

H. J. R. 30. BE IT RESOLVED BY THE HOUSE, THE SENATE

CONCURRING, That House Bill No. 87 be known and designated as the Callahan, Shelton, and Mize Bill.

On motion of Mr. Callahan the rules were suspended and H. J. R. 30 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 46. Relating to Cullman County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Also:

H. 79. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Colbert County, validating Act No. 485 of the General Acts of the regular 1949 session of the Alabama Legislature.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 29. Naming H. B. 34.

H. J. R. 28. Naming H. B. 62.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Roberts:

H. J. R. 31. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of six (6), three members of the House to be appointed by the Speaker of the House, and three members of the Senate to be appointed by the Presiding Officer of the Senate, to wait upon the Governor and inform him that the Legislature now stands ready to adjourn sine die and awaits any further message that he might desire to transmit.

On motion of Mr. Roberts the rules were suspended and H. J. R. 31 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Roberts, Merrill and Shirley.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 13. Relating to the taxation of property owned and used by colleges: To exempt from taxes all property owned and used by colleges for housing students, faculty members or other employees of such col-

leges, and to exempt property owned by colleges for enlargement of campus or for new campus.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 42. To repeal Act No. 263, S. 403, approved July 22, 1949 (Acts of Alabama, 1949, page 388), entitled "An Act To prohibit any person who carries mail under a contract with the United States from carrying passengers; to apply in and only in counties having a population of not less than 36,500 nor more than 42,400 inhabitants according to the most recent federal census."

Also:

H. 83. To amend Section 6 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819), which establishes a county-wide personnel system for all counties of the state having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

Also:

H. 87. To make an additional appropriation to the Board of Trustees of the Alabama Insane Hospitals for the use of the Alabama Insane Hospitals and the Partlow State School for Mental Deficients for the fiscal year ending September 30, 1951.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 73. To amend Section 543 of Title 51, Code of Alabama (1940), which relates to privilege license, and provides for retroactive effect thereof.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 46. Relating to Cullman County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Also:

H. 79. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Colbert County, validating Act No. 485 of the General Acts of the regular 1949 session of the Alabama Legislature.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 30. Naming H. B. 37.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 54. To make a transfer of funds appropriated to the use of the Legislative Reference Service for expenses to the Service's appropriation for salaries.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 13. Relating to the taxation of property owned and used by colleges: To exempt from taxes all property owned and used by colleges for housing students, faculty members or other employees of such colleges, and to exempt property owned by colleges for enlargement of campus or for new campus.

Also:

H. 73. To amend Section 543 of Title 51, Code of Alabama (1940), which relates to privilege license, and provides for retroactive effect thereof.

Also:

H. J. R. 28. Relating to designating House Bill 62 as the Beck, Miller, Dumas, Burnside, Boutwell Bill.

Also:

H. J. R. 29. Relative to designating H. B. 34 as the Wallace, Hardwick, Adams (Dale), Patton, Merrill, Kendall, White (Perry), Mize, Martin, Lovelace, Thomas and Brassell Bill.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bill and House Joint Resolution, to-wit:

H. 54. To make a transfer of funds appropriated to the use of the Legislative Reference Service for expenses to the Service's appropriation for salaries.

Also:

H. J. R. 30. Relative to designating H. B. 87 as the Callahan, Shelton, and Mize Bill.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 33. To appropriate an additional twenty-five thousand dollars to the Alabama Milk Control Board for the fiscal year ending September 30, 1951.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 92. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Also:

H. 61. To make it unlawful for any person to display, handle, exhibit or use any poisonous or dangerous snake or reptile in such a manner as to endanger the life or health of another, and prescribing the punishment for violation of this Act.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Wallace:

H. J. R. 32. Be it Resolved By the House, Senate Concurring that H. B. No. 36 be named Wallace, Mize, Fite, Patton Bill.

On motion of Mr. Wallace the rules were suspended and H. J. R. 32 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 33. To appropriate an additional twenty-five thousand dollars to the Alabama Milk Control Board for the fiscal year ending September 30, 1951.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 35. To provide for educational benefits to children and widows of deceased veterans; to provide for educational benefits for the children, wives and veterans who are suffering from a 40% or more service-connected disability; and to provide for correspondence and extension courses for veterans.

Also:

H. 81. To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; providing for the employment of a Supervisor of Roads; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Beck:

H. J. R. 33. Be it resolved by the House the Senate concurring that House Bill No. 61 be known as the Beck-Burnside bill.

On motion of Mr. Beck the rules were suspended and H. J. R. 33 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended has passed the following House bill and returns same herewith to the House:

H. 22. To amend Section 661 of Title 7 of the Code of Alabama (1940), which relates to the homestead exempted from administration and the payment of debts in favor of the widow and minor child or children; making the amendment retroactive.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Beck the House concurred in and adopted the Senate amendment to the bill, H. 22, said Senate amendment being as follows:

Amend House Bill No. 22 by inserting the words "by the Circuit Court in Equity" after the word "or" in line 28 on page 1 of said House Bill No. 22

Amend H. B. 22 by striking the entire section 2 thereof.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Evans	McGowin	Shelton
Adams (Dale)	Faulk	Malone	Shirley
Benford	Ganey	Martin	Sightler
Black	Garrett	Mathison	Still
Brown	George	Meeks	Taylor (Hale)
Buckner	Gibson	Merrill	Thagard
Bush	Hardy	Molette	Thomas
Callahan	Harris	Morring	Thompson (Crenshaw)
Coburn	Haynes (Lowndes)	Nettles	Thompson (Pike)
Cox	Inzer	Pfleger	Wallace
Denton	Kaul	Ramey	Ward
Dobbs (Fayette)	Knight	Roberts	Weaver
Duffee	Larkins	Sellers	Wood (Bibb)
Dyar	McClendon		

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 32. Naming House Bill 36.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 20. To authorize the Commissioner of Public Welfare to make or have made photographic reproductions of books, records, papers, or other documents required to be maintained or kept by the Department of Public Welfare or any subdivision thereof; and to authorize the Commissioner to dispose of any such books, records, papers, or other documents so photographed; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the documents themselves, and to provide for the admission as evidenced by duly certified photostatic copies or other copies of the original microfilms, photostats, or other similar photographs; to provide for the repeal of all laws in conflict with this act; and to provide for the severability of the provisions of this act in the event that any part is declared to be null or void; and to provide the effective date of this act.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 35. To provide for educational benefits to children and widows of deceased veterans; to provide for educational benefits for the children, wives and veterans who are suffering from a 40% or more service-connected disability; and to provide for correspondence and extension courses for veterans.

Also:

H. 61. To make it unlawful for any person to display, handle, exhibit or use any poisonous or dangerous snake or reptile in such a manner as to endanger the life or health of another, and prescribing the punishment for violation of this Act.

Also:

H. 81. To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; providing for the employment of a Supervisor of Roads; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County.

Also:

H. 92. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate

limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 33. Naming H. B. 61.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 31. Relative to notifying the Governor the Legislature is ready to adjourn sine die, and appointing Committee to advise Governor.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Hooton, Fite and Gullledge.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Thagard:

H. J. R. 34. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that H. B. 33 be named the Thagard, Kendall, Henderson, Lowe, Thompson (Crenshaw), and Sumnerlin Bill.

On motion of Mr. Thagard the rules were suspended and H. J. R. 34 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 20. To authorize the Commissioner of Public Welfare to make or have made photographic reproductions of books, records, papers, or other documents required to be maintained or kept by the Department of Public Welfare or any subdivision thereof; and to authorize the Commissioner to dispose of any such books, records, papers, or other docu-

ments so photographed; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the documents themselves, and to provide for the admission as evidenced by duly certified photostatic copies or other copies of the original microfilms, photostats, or other similar photographs; to provide for the repeal of all laws in conflict with this act; and to provide for the severability of the provisions of this act in the event that any part is declared to be null or void; and to provide the effective date of this act.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 32. Relative to designating H. B. No. 36 as the Wallace, Mize, Fite, Patton Bill.

Also:

H. J. R. 33. Relative to designating H. B. No. 61 as the Beck-Burnside bill.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 34. Naming H. B. 33.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 50. To provide that the tax anticipation bonds, warrants or certificates of indebtedness issued pursuant to a constitutional amendment proposed by Act No. 570 of 1949, General Acts of Alabama of 1949, pp. 897-899, submitted December 13, 1949, and proclaimed ratified December 21, 1949, are authorized investments for any fiduciary.

Also:

H. 62. To amend Section 1 of Act No. 301, S. 222, approved August 14, 1947, which Act makes annual appropriations to provide old age assistance to certain retired school teachers.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 22. To amend Section 661 of Title 7 of the Code of Alabama (1940), which relates to the homestead exempted from administration and the payment of debts in favor of the widow and minor child or children; making the amendment retroactive.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Harris:

H. J. R. 35. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Acts, resolutions of this session of the Legislature be bound with the next regular session of the Legislature.

On motion of Mr. Harris the rules were suspended and H. J. R. 35 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 35. Relative to binding Acts, Resolutions, of this session with next session of Legislature.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 50. To provide that the tax anticipation bonds, warrants or certificates of indebtedness issued pursuant to a constitutional amendment proposed by Act No. 570 of 1949, General Acts of Alabama of 1949, pp. 897-899, submitted December 13, 1949, and proclaimed ratified December 21, 1949, are authorized investments for any fiduciary.

Also:

H. 62. To amend Section 1 of Act No. 301, S. 222, approved August 14, 1947, which Act makes annual appropriations to provide old age assistance to certain retired school teachers.

Also:

H. J. R. 34. Relative to designating H. B. 33 as the Thagard, Kendall, Henderson, Lowe, Thompson (Crenshaw), and Summerlin Bill.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

JOINT SESSION

The hour of 12:50 P. M. having arrived the Senate and House of Representatives of the Legislature of Alabama met in joint session in the hall of the House of Representatives, in accordance with House Joint Resolution No. 31, for the purpose of hearing an address by the Hon. James E. Folsom, Governor of the State of Alabama.

The Joint Session was called to order by the Hon. J. C. Inzer, Lieutenant Governor and Presiding Officer of the Senate.

The Governor delivered an address to the Joint Session of the Legislature.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the Joint Session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:20 A. M. on October 25, 1950. H. 14, H. 15.

Delivered to the Governor at 10:45 A. M. on October 25, 1950. H. 34, H. 66, H. 72.

Delivered to the Governor at 11:07 A. M. on October 25, 1950. H. 42, H. 83, H. 87.

Delivered to the Governor at 11:20 A. M. on October 25, 1950. H. 46.

Delivered to the Secretary of State at 11:20 A. M. on October 25, 1950. H. 79.

Delivered to the Governor at 11:55 A. M. on October 25, 1950. H. 13, H. 73, H. J. R. 28, H. J. R. 29, H. 54, H. J. R. 30.

Delivered to the Governor at 12:10 P. M. on October 25, 1950. H. 33.

Delivered to the Governor at 12:35 P. M. on October 25, 1950. H. 35, H. 61, H. 81, H. 92.

Delivered to the Governor at 12:55 P. M. on October 25, 1950. H. 20, H. J. R. 32, H. J. R. 33.

Delivered to the Governor at 1:15 P. M. on October 25, 1950. H. 22.

Delivered to the Governor at 1:25 P. M. on October 25, 1950. H. 50, H. 62, H. J. R. 34.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Tenth Legislative Day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the Tenth Legislative Day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Tenth Legislative Day was approved.

ADJOURNMENT

On motion of Mr. Malone, the House adjourned sine die at 1:19 P. M.

W. M. BECK,
Speaker of the House of Representatives of the Legislature
of Alabama, Fifth Extraordinary Session, 1950.

Attest:

R. T. GOODWYN, JR.,
Clerk of the House of Representatives of the Legislature
of Alabama, Fifth Extraordinary Session, 1950.

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